

ENGLAND UNDER
THE EARLY TUDORS



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THE EARLY TUDORS

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ENGLAND UNDER THE EARLY TUDORS

(1485-1529)

ILLUSTRATED FROM CONTEMPORARY SOURCES

BY

C. H. WILLIAMS, M.A.

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INTRODUCTION.

A.—NOTE ON SOURCES.

THE study of early Tudor history is less hampered by lack of original sources than is commonly supposed. Comparisons with other periods and references to some special type of source have been taken to mean more than their authors intended, and a false impression of general scantiness has thus been suggested.¹ The following note is not exhaustive, but it will be sufficient to suggest the existence of a substantial, if not embarrassing, accumulation of materials, and its omissions may be made good from the standard bibliographies in the modern works mentioned below. Any sources which have been used in the text of the present volume are marked with an asterisk.

General Collections.—Detailed study of the period is facilitated by several printed collections of documents. In Campbell's *Materials for the History of the Reign of Henry VII.** (Rolls Series, 1873, 1877) there are many extracts from the Patent and Close Rolls, but less accessible materials such as signed bills, privy seal writs, French Rolls, wardrobe accounts,

¹ e.g. Busch, *England under the Tudors*, p. 391. "We do not possess such a wealth of original authorities for the reign of Henry VII. as for that of his son." Gairdner, *Memorials of Henry VII.*, p. vii, dealing especially with chronicles, "In no period . . . are the sources of history so scanty."

and books of the receipt of the Exchequer have also been used, and they make the work one of abiding value. For the reign of Henry VIII. there are two collections. The earlier of these, the *State Papers* * (Record Comm., 11 vols., 1830-52), consists of transcripts of state papers arranged under subject headings. The other, the *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII.**, is wider in scope and different in form, for it is an attempt to calendar all the extant "letters and papers" in strict chronological order. It is, therefore, an important guide providing summaries (and sometimes transcripts) both of printed documents and manuscripts in the Public Record Office, British Museum, and other archives. The years 1509-29 are covered in the first four volumes. These were first edited by J. S. Brewer (1864-76); but a revised and enlarged edition of the first volume (1509-14) in three parts was recently edited by Mr. R. H. Brodie. For the text of treaties and for some other important documents, reference must be made to Rymer's *Fœdera* * (1704-35. Best edition, Hague, 1745).

Different in scope, but of great importance for the earlier period, is Professor A. F. Pollard's *Sources for the Reign of Henry VII.** (3 vols., 1913), a collection of materials to which is prefixed an introductory survey of the reign. This should be consulted.

Parliamentary Records.—Parliamentary history has to be studied from materials disappointing both in quantity and kind, though the absence of fuller records is in itself a suggestive fact. The official sources in print are confusing, since they are the result of an unsuccessful attempt to dovetail together different kinds of records. From 1485-1504 the *Rolls of Parliament* * (vol. vi.) give detailed information, but the transactions for 1510-13 have to be guessed from scrappy memoranda supplied in the *Lords' Journals* * (vol. i.), while the period 1513-30 is partially covered by some rolls printed

as an appendix to the *Lords' Journals*. The copious legislation of the period will be found in the *Statutes of the Realm* * (Rec. Comm., vols. ii. and iii.). Manuscript sources still unprinted do not appear to be large. Writs of summons are enrolled on the Close Rolls, and will usually be found calendared in Campbell, *Materials*, or mentioned in the *Letters and Papers*. Although some minor documents, such as a speech which was probably made in the Parliament of 1514 (Brit. Mus., Harl. MS. 6464: *Letters and Papers*, i. 2592) are extant, they are not numerous, nor do they contribute much to the history of Parliament. On the other hand, some of the local records, correspondence, and chronicles mentioned below can be used effectively to eke out information gathered from the official sources.

The Council.—The activity of the Council during these years is suspected to have been great, but it is difficult to establish the fact owing to the loss of its original records. The work done on four days in July, 1486, is known (Brit. Mus., Harl. MS. 297, f. 1), and there are some sixteenth century transcripts from the book of entries of the Council which seem to have been selected to illustrate some aspects of its history. These have been printed in C. Scofield, *Study of the Court of Star Chamber*.* They are of interest, but the fact that they were compiled with a purpose must not be overlooked. For further information, Professor Pollard's articles on the Council should be consulted,¹ and also R. Steele, *Bibliography of Royal Proclamations*, and E. R. Adair, *Sources for the History of the Council* (Helps for Students, no. 51).

Departmental Records.—The description of these records, given in an earlier volume of this series,² applies equally to this period, though some special features are worth attention.

(i) *Chancery Records*.—For the reign of Henry VII. there

¹ For reference see below, p. xvii.

² I. D. Thornley, *England under the Yorkists*, p. xi.

are two volumes of the *Calendar of Patent Rolls* * (1485-1509). The Patent Rolls for 1509-29 are summarised in the *Letters and Papers*. The Close Rolls for 1485-1529 are uncalendared, but they lack the importance of earlier records of this type. The entries are neither numerous nor important; most of them are private conveyances entered on the back of the roll, and examination of them shows that the golden age of the Close Roll lies in the past. Almost all that is of general interest for the reign of Henry VII. has been extracted by Campbell. Two volumes of the *Calendar of Inquisitions Post Mortem*, 1485-1509, supply some interesting information.

(ii) *Exchequer Records*.—Of the many classes of Exchequer records most still remain unused, but some financial material is in print. Bentley, *Excerpta Historica*, contains extracts from Henry VII.'s accounts, while other financial information can be found in Campbell, *Materials*, and the *Letters and Papers*.

Legal Records.—Legal development during these years is best studied by separating conciliar jurisdiction through the Star Chamber from the working of the courts of common law. All can be adequately studied from records.

(i) *The Conciliar Courts*.—A number of original pleadings in the Court of Star Chamber are extant in the Public Record Office: see *Lists and Indexes*, no. 13. Selections from these records are accessible in *Select Cases in the Court of Star Chamber* (ed. I. S. Leadam, Seld. Soc., i. 1477-1509; ii. 1509-44), *Somerset Star Chamber Cases* (ed. G. Bradford, Somerset Rec. Soc., 1911), *Yorkshire Star Chamber Proceedings* (ed. W. Brown, Yorks. Arch. Soc., nos. 41, 45), *Lancashire and Cheshire Star Chamber Cases* * (ed. R. S. Brown, Lancs. and Ches. Rec. Soc., vol. 7). Closely connected with the Star Chamber in judicial work is the Court of Requests (*Lists and Indexes*, no. 21). Its proceedings are illustrated in *Select Cases in the Court of Requests* (ed. I. S. Leadam, Seld. Soc.).

(ii) *The Common Law Courts*.—Proceedings in the courts of common law will be found enrolled on the De Banco Rolls, the Coram Rege Rolls, and the Controlment Rolls (*Lists and Indexes*, no. 4). The extreme bulk of these records, coupled with their technical nature and mass of unimportant details, makes their publication almost impossible. Other judicial records are the Ancient Indictments and the Baga de Secretis. The latter is most important, for it is a collection of miscellaneous cases which includes treason trials. The calendar printed in the *Report of the Deputy Keeper of the Public Records* * (3rd Report, App. ii.), is a very fair summary of this heterogeneous collection. Less official sources are the reports of cases argued in court which appear in the *Year Books* * (ed. 1680). Some of these bear on constitutional history, but on the whole they are very technical legal documents. Some additional cases are reported in Keilwey, *Reports d'ascuns cases* (ed. 1688). The records of the Inns of Court, notably the *Black Books of Lincoln's Inn* (ed. W. P. Baildon, 1891), make interesting reading.

Diplomatic Correspondence and Reports of Ambassadors.—Much information on domestic history as well as on foreign policy is to be gleaned from the letters of foreign ambassadors to their governments. Letters in foreign archives which refer to England have been calendared, but the lack of a uniform editorial method has resulted in calendars of varying value. Of most importance are the *Calendar of State Papers, Spain* * (i.-iv. 1862-77), *Calendar of State Papers, Venice* * (i.-iv. 1864-71), and the *Calendar of State Papers, Milan* * (1912). In some parts this last-named duplicates the *Venetian Calendar*, and on such occasions preference should be given to it. Some state papers are given in Gairdner, *Letters and Papers* * (Rolls Ser., 1861-63), while the *Calendar of State Papers, Scotland* (1858), and the *Calendar of State Papers, Carew Papers* * (1871; relating to Ireland), are also of interest.

It was the practice of the Venetian Government to call for reports from its representatives when they completed their missions. These provide most interesting commentaries on English life as it appeared to foreigners. The earliest of them is the *Italian Relation of England* * (Camd. Soc., 1847), written about 1500. There are others in the *Venetian Calendar*. The letters and reports of a famous Venetian, Sebastian Gius-tiniani, have been translated by R. Brown under the title *Four Years at the Court of Henry VIII.** (1515-19). The letters of a French ambassador, Du Bellay, which throw much light on English affairs between 1527 and 1529, are available in French in *Ambassades en Angleterre de Jean du Bellay* (ed. V. L. Bourilly et F. de Vaissiere, 1905). Some correspondence touching on English affairs will also be found in Bradford, *Correspondence of Charles V.**

Private Letters.—The habit of preserving documents for purposes of litigation combined with the influence of the renaissance makes the period rich in private correspondence. None surpasses in interest the letters written by Erasmus. His visits to England and his close friendship with the leaders of the humanist movement in this country make them an important source. The standard edition is Mr. P. S. Allen's *Opus Epistolarum Des. Erasmi Roterodami* * (not yet complete), but many of the letters may be read in translation in F. M. Nichols, *Epistles of Erasmus* * (3 vols.). Some of the famous *Paston Letters* (ed. J. Gairdner, 1904) were written in the reign of Henry VII., while the *Plumpton Correspondence* * (Camd. Soc., 1839) gives another picture of the life of an English family during this period. The *Life and Letters of Thomas Cromwell* * (ed. R. B. Merriman) print many of the extant letters of that statesman, and the *Love Letters of Henry VIII. to Anne Boleyn* (ed. G. A. Crapelet) serves as an introduction to the divorce problem. The *Christ Church Letters* (Camd. Soc., 1877), and the *Literæ Cantuarienses* (Rolls Ser., iii. 1889), contain some letters of general interest.

Chronicles and Narratives.—If the above-mentioned sources are to be used to advantage, they must be studied in conjunction with contemporary narratives. Our description of these must begin with Polydore Vergil's *Historia Anglica* (ed. 1651), for it is the work of one who had a definite conception of historiography. It provides the best description of the reign of Henry VII., since Vergil based his account on a diary which he kept during his stay in England, and we have evidence which suggests that he took great pains to obtain information. More strictly contemporary are the works of Bernard André, printed in *Memorials of King Henry VII.* (ed. Gairdner, Rolls Ser., 1858). This blind poet, who probably came to England with Henry VII., planned yearly summaries of events, which would have been of greater value than his life of Henry, but unfortunately we possess only the annals for two years. Rhetorical speeches, confused chronology, and vague statements make the work a dangerous guide. Edward Hall's *Chronicle* * (ed. Ellis, 1809, and C. Whibley, 1904) ¹ is valuable for the reign of Henry VII., because it is for the most part a translation of Vergil's history; but it becomes a source of prime importance for the reign of Henry VIII. It is marked by a Protestant bias, but on the whole may be relied upon for a fair statement of facts.

Considerable information may be pieced together from other narratives. The most important is the Great Chronicle of London. It is unfortunately inaccessible, as it is in private hands. Although stated in 1913 that an edition might soon be expected, it has not yet appeared.² Less valuable, but still important, are the *Chronicles of London* * (ed. C. L. Kingsford, 1905), the Tanner MS. in *Six Town Chronicles* * (ed.

¹ The full title is *The Union of the Two Noble and Illustrate Families of Lancaster and York*. The edition by Whibley only contains the part relating to the reign of Henry VIII.

² See C. L. Kingsford, *English Historical Literature in the Fifteenth Century*, p. 71.

R. Flenley), the *Chronicle of Calais** (Camd. Soc., 1846), *Ricart's Calendar** (Camd. Soc., 1872), and the *Chronicle of the Greyfriars*.* This last is available in two editions (Camd. Soc., 1852), and in the *Monumenta Franciscana* (Rolls Ser., 1852, ii. p. 143), the latter being the better. The register of an Oxford College is not an obvious narrative source, but the recently published *Registrum Annalium Collegii Mertonensis*,* 1483-1521 (ed. H. E. Salter, Oxf. Hist. Soc., 1923), contains some references to political events. *Wriothesley's Chronicle** (Camd. Soc., 1875) only becomes independent after 1518, for up to that date it is based largely on the scanty chronicle in Arnold's *Customs of London* (ed. Douce, 1811), and it is of most value for the period after 1532. Cavendish's *Life of Wolsey** (various editions) and Roper's *Life of More** (various editions) have much biographical material, while Edmund Dudley's *Tree of Commonwealth* (ed. 1859) and More's *Utopia** (various editions) contain the reflections of statesmen on the social organisation of their day.

Ecclesiastical Records.—Materials illustrating ecclesiastical affairs will be found in Wilkin's *Concilia* (ed. 1737); but more local sources often throw light on special subjects. Valuable diocesan records are the *Register of Bishop Fox*,* Bishop of Bath and Wells, 1492-94 (ed. E. C. Batten, 1889), the *Register of Richard Mayew*,* Bishop of Hereford, 1504-16, and that of Charles Bothe, Bishop of Hereford, 1516-35. Both of these are printed by the Cantilupe Society, 1919, 1921, and by the Canterbury and York Soc., 1919, 1921. The state of the monasteries is revealed in *Visitations of Southwell Minster** (Camd. Soc., 1891) and *Visitations of the Diocese of Norwich* (Camd. Soc., 1888). The documents in Pocock, *Records of the Reformation* (2 vols.) are useful, as also are Foxe, *Acts and Monuments* (ed. Cattley, Townsend, and Pratt), and W. H. Hale, *Series of Proceedings and Precedents in Criminal Cases*,* 1475-1640, which contains some heresy cases. Noteworthy

theological works are Fisher's *English Works* * (Early Eng. Text Soc., 1876), Henry VIII.'s *Assertio Septem Sacramentorum* * (ed. 1687), Latimer's *Sermons* * (Parker Soc., 1844, 1845), More's *English Works* * (ed. 1557), and Tyndale's *Works* * (Parker Soc., 1848-50).

Local Records.—To attempt to mention all the local records of value would be impossible. The following may be taken as representative: *Beverley Town Documents* * (Seld. Soc.); *The Red Paper Book of Colchester* * (ed. W. G. Benham); *Coventry Leet Book* * (Early Eng. Text Soc., 1907); *Leicester Records* (ed. M. Bateson); R. Sharpe's *Calendar of the Records of the Corporation of London, Letter Book L, and Calendar of Wills, Court of Hustings* *; *Records of the City of Norwich* * (ed. W. H. Hudson); *Records of the Borough of Nottingham* * (ed. W. H. Stevenson); *Reading Records* * (ed. J. M. Guilding), and several volumes of the publications of the Southampton Record Society. Further information will be found in Gross, *Bibliography of Municipal History*. Finally, it should be noted that some of the Reports of the Commission on Historical Manuscripts contain valuable material, but they have not received the attention they deserve. All studies of special problems for this period should include a systematic search of these reports.

B.—A SELECT LIST OF MODERN AUTHORITIES.

It is only possible to select from the wide range of modern books dealing with this period some of those whose value for the student and the teacher is indisputable. The bibliographies appended to most of them will serve as a guide to more specialised reading.

The chapters in the *Cambridge Modern History* (i. xiv.; ii. xiii.) dealing with the Tudor period may be recommended

as an introductory survey whose value is enhanced by two excellent bibliographies. These chapters should be read in conjunction with W. Busch's *England under the Tudors*, an authoritative work which, unfortunately, was not continued beyond 1509, and H. A. L. Fisher's *Political History of England*, 1485-1547. There is much information in the introductions which Dr. Gairdner provided for the texts he edited in the Rolls Series, and a survey of the reign forms part of A. F. Pollard's *Sources for the Reign of Henry VII.* For the reign of Henry VIII. there are the lengthy introductions which Brewer wrote for his volumes of *Letters and Papers of Henry VIII.* These have been collected and published in two volumes. W. Stubbs' lectures on Henry VII. and Henry VIII. in his *Seventeen Lectures on Medieval and Modern History*, Lord Acton's study of Wolsey and the Divorce of Henry VIII. in his *Historical Essays and Studies*, and A. F. Pollard's *Factors in Modern History* are all suggestive surveys. *Tudor Studies* (ed. R. W. Seton Watson) is a collection of essays embodying the results of recent research on special problems of the period.

Although Bacon's *Life of Henry VII.* and Lord Herbert of Cherbury's *Life and Reign of Henry VIII.* are most important biographies of those monarchs, their significance has been frequently exaggerated owing to a confused idea that they were contemporary authorities. The former was first published in 1622, the latter in 1649. They laid the foundations for later biographers, and embody the opinions of two men in close touch with Tudor statecraft, but there is no reason to regard them as unimpeachable authorities. Dr. Gairdner's *Henry VII.* (Twelve English Statesmen) is a valuable study which should be connected with an essay on Perkin Warbeck in the same writer's *Richard III.* Mrs. Temperley's *Henry VII.* is the most recent biography. The standard account of Henry VIII. is A. F. Pollard's *Henry VIII.* For biographies of all the leading personalities of the period the most con-

venient reference work is the *Dictionary of National Biography*, and the one volume *Concise Dictionary of National Biography* provides a handy source of information. There are many other important biographies. In Creighton's *Wolsey* (Twelve English Statesmen) and R. B. Merriman's *Life and Letters of Thomas Cromwell*, two of the leading statesmen of the period are studied, and of the many works on Sir Thomas More, the lives by T. E. Bridgett and W. H. Hutton are the most valuable. There is, also, a delightful essay on More in Sir Sidney Lee's *Great Englishmen of the Sixteenth Century*. Lesser known characters have had attention paid to them, and S. Knight's *Life of Colet* (there is a later one by J. H. Lupton), T. E. Bridgett's *Fisher*, R. Demaus's *Tyndale*, and Miss Hulstead's *Margaret Beaufort* may be mentioned as the best of these. *Anne Boleyn*, by P. Friedmann, is a scholarly work which depicts its subject against the background of the age in which she lived.

General works such as these are often the best authorities for special aspects of the history of the period, but a number of treatises of a more technical nature also call for consideration. Despite the fact that it was first published in 1827, Hallam's *Constitutional History* remains a classic, but of course its views need considerable revision in the light of modern research. F. W. Maitland's *Lectures on Constitutional History*, Medley's *Constitutional History*, A. F. Pollard's *Evolution of Parliament*, together with monographs such as C. Scofield's *Court of Star Chamber* and C. J. A. Skeel's *Council of the Marches of Wales*, are essential for that purpose. The results of much recent research are collected in J. R. Tanner's *Tudor Constitutional Documents*, while the introductions to many of the previously mentioned volumes of original sources (e.g. Selden Society publications) and various articles in the *English Historical Review*, such as A. F. Pollard's *Council, Star Chamber and Privy Council under the Tudors* (xxxvii. 337)

and A. P. Newton's *King's Chamber under the Early Tudors* (xxxii. 348), are of great importance.

The classic works on ecclesiastical history are Dixon, *History of the Church of England*, and Gairdner's *English Church in the Sixteenth Century*. Makower's *Constitutional History of the Church of England* is valuable for its references, but it would be more than flattery to call it readable. Controversial questions enter largely into Gasquet's *Eve of the Reformation* and *Catherine d'Aragon et les Origines des Schisme Anglican* by A. Du Boys, but they throw light on many problems. The corrective for too insular a view of the English Reformation is provided in such works as Creighton's *History of the Papacy* and T. M. Lindsay's *History of the Reformation*.

Social and economic history possesses a literature of its own, but the following books are safe guides: Bradshaw's *Social History of England* is the best of recent shorts work. For detailed study works on a larger scale which should be consulted are Cunningham's *Growth of English Industry and Commerce*, Ashley's *Economic History* (consisting of essays on important economic subjects), R. H. Tawney's *Agrarian Problem in the Sixteenth Century*, J. S. Leadam's *Domesday of Inclosures*, and the recent collection of *Tudor Economic Documents* by R. H. Tawney and E. Power. For a description of social conditions and cultural movements, Seeböhm's *Oxford Reformers* and L. Einstein's *Italian Renaissance in England* are invaluable.

The Editor wishes to thank Miss I. D. Thornley for reading his manuscript. To Miss E. Jeffries Davis, who has never failed to respond generously on the many occasions when her advice and criticism have been sought, he owes a debt of gratitude which he wishes he could express more adequately.

BOOK I. POLITICAL.

1.

[Letter from Richard III. to Henry Vernon, squire for his body, 11 August, 1485. *Hist. MSS. Comm.*, 12th Report, App. iv. p. 7.]

Trusty and welbeloved we grete you wele. And foras-
muche as our rebelles and traitours accompanied with
our auncient enemyes of Fraunce and othre straunge
nacions departed out of the water of Sayn (Seine) the furst
day of this present moneth making their cours westwardes
ben landed at Nangle besides Mylford Haven in Wales on
Soneday last passed, as we be credibly enfourmed, entending
our uttre destruccion, thextreme subversion of this oure
realme and disheriting of oure true subgiettes of the same,
towardes whoes recountring, God being our guyde, we be
utterly determinid in oure owne persone to remeove in all
hast goodly that we can or may. Wherfor we wol and
straitely charge you that ye in your persone with suche
nombre as ye have promysed unto us sufficiently horssed
and herneised be with us in all hast to you possible, to
yeve unto us youre attendaunce without failling, al manere
excuses sette apart, upon peyne of forfaicture unto us of
all that ye may forfait and loose. Yeven undre our signet
at oure logge of Beskewode the xj day of August.

2.

[Battle of Bosworth. (a) *Chronicle of Calais* (Camd. Soc.), p. 1.
(b) Kingsford, *Chronicles of London*, p. 193.]

(a) On seint Bartilmew's even he [Henry] went to the filde at Bosworthe hethe, and there was kynge Richarde slayne and the duke of Norfolke slayne, and the erle of Surrey the duke of Norfolkes sone taken prisoner, and the erle of Northumbarland taken prisoner, the lorde Sowche taken prisoner, and there was slayne Ratclife, Catesby, and gentle Brakenbery, and the erle of Shrowsbery was taken prisoner, and the lorde Lovell escaped and fled; and there was slayne of kynge Henry's party ser William Brandon, who bare kynge Henry's standard that day.

(b) And after the ffeeld doon, the said Kyng Richard was caried vpon an hors behynd a man all naked to Leyciter, fast by the ffeeld; and there buryed w^t in the ffreres. And the xxvij day of August was the said kyng Henry brought in to the Cite, w^t the Mayr, Aldermen and the ffelishippys clothed in violet; and so to the palays at powles, and there loged.

3.

[Some methods whereby Henry consolidated his position. (a) Grants to his supporters, 23 September, 1485. Campbell, *Materials*, i. p. 39.]

Grant, for life, to Robert Skerne, esq. (in consideration of the singular affection the king bears him and of the good and acceptable service he has performed, as well in parts beyond the sea whilst the king was abroad as in a variety of ways within the kingdom of England, not only by favouring the king's royal right and title, by force and

authority whereof, with the help of God, the king not long since arrived at the crown of the realm of England, but also by resisting and repressing the king's rivalling enemy and adversary, Richard, late duke of Gloucester, the usurper of the king's right and crown aforesaid, and his accomplices and adherents, who had some time since stirred up wars and commotions against the king within his kingdom), of the offices of keeper of the manor and garden of Shene, co. Surrey, and of the park there called le Newe Parc, and seven acres of meadow lying near Chertsey Bridge, co. Midd., kept for the feeding of the king's deer within the said park in winter time ;

[(b) The creation of the Yeomen of the Guard. A grant made, 18 September, 1485. *Ibid.*, i. p. 8.]

Grant, during pleasure, to William Brown, yeoman of the king's guard (in consideration of the good service that oure humble and feitheful subgiet William Browne, yoman of oure garde, hath heretofore doon unto us, as wele beyond the see as at oure victorieux journeye), of the office of bailiff of Brailles, co. Warwick.¹

[(c) The king's pardon, 24 September, 1485. Printed from the municipal archives of York. *Gentleman's Magazine*, xxxv. (1851), p. 165.]

Forasmoche as many and diverse persones of the North parties of this our land, knyghtes, esquires, gentilmen, and othre have doone us now of late grete displeaser, being ayenst us in the feld with the adversarye of us, enemy of nature and of all publique wele, which, as we be enfourmed, repenting their defaultes, desiring to doo us suche pleasir and service as might reduce them unto our grace and

¹ *Italian Relation* (Camd. Soc.), p. 47, "and the military escort who compose his guard and are from 150 to 200 in number."

4 ENGLAND UNDER THE EARLY TUDORS

favour, We, moved aswell of pitie as for the grete damiges, perelles, lossys of goodes and lives, that the auncestours of thinhabitauntes of that cuntrie have bourne and sufferd for the quarell and title of the moost famous prince and of blissed memorye King Henry the sixt our uncle: and also for that they of thoos parties be necessarye and according to there dutie most defend this land ayenst the Scottes, of our especiall grace pardon to all persones within our counties of Notingham, York, Northumberland, Cumberland, and Westmoreland, our citie of York and the bishopricke of Durham, and the towne of Hull, almaner riottes, murders, tresons, felonyes, insurrecons, conspiracies ayenst there liegeauncies doone and committed, and all other offenses and trespasses, what so ever they be, by theme or by any of theme doone ayenst us before the xxij. day of Septembre, in the furst yere of our reigne; except Sir Ric. Ratcliffe, Sir James Haryngton, Sir Robert Haryngton, Sir Thomas Pilkynghon, Sir Thomas Broghton, Sir Robert Medilton, Thomas Metcalf, and Miles Metcalf.

4.

[The Sweating Sickness, September, 1485. *Registrum Annalium Collegii Mertonensis* (Oxf. Hist. Soc.), p. 72 (Latin).]

In the same year, about the end of August and the beginning of September, a marvellous and unprecedented sickness broke out in the University, which, beginning suddenly with an unexpected sweat, deprived many of their lives. By about the end of September this mortality was spread abroad almost without warning through the whole country. In the city of London three mayors died within ten days: and so borne on the breeze from east to west it

struck down with extraordinary slaughter almost all the nobility, except however the lords spiritual and temporal. All either died or escaped within the twenty-four hours: but so great and so cruel a massacre of wise and prudent men has not been heard of in our history for many centuries. This mortality did not last for more than a month or six weeks, at any rate with the exception of a few cases.

5.

[Writ to the sheriff of Surrey and Sussex ordering him to proclaim the truce for one year concluded with France, 12 October, 1485. Rymer, *Fœdera* (3rd ed.), V. iii. p. 166.]

Forasmoche as certeyn appoyntements and conclusyons of trues and abstinences of werre be had, made, and concludid betwene the Kyng our Soverayne Lord of that one partye, and his most derrest cousyn Charles of France of that other partye, to begynne the first daye of this present moneth of Octobre, and to endure unto the last day of Septembre next ensuyng,

The Kyng our seid Soverayne Lord straytly chargeth and commandeth all and everyche his subgettis and true liege men, that they ne none of theym move, ne cause to be moved any maner werre or hostylite ayenst his seid cousyn, or any of his subjetts, be land, see, ne fresshe waters; but that they and everych of theym peasybly suffre the seid subjects of his seid cousyn, aswell marchaints as other, to entre, come, passe, and repasse into and fro any porte or portis or other place or placis withyn this his realme, there to charge and recharge, and to make fre entrecourse of merchandyse, from tyme to tyme, as oft as it shall please theym, duryng the terme afore expressid, withoute any saufconducte, licence, or saufgard, and

without any impedymēt, arrest, or greve, otherwyse then ys accordyng to his lawes, uppon the payne of forfecture of all that they maye forfaicte and their bodys at the kingis will.

6.

[Henry's first Parliament, 7 November, 1485. (a) An Act of Attainder. *Rot. Parl.*, vi. 276a.]

Wherefore, by the advise and assent of the Lordes Spirituell and Temporell, and of the Comens, in this present Parliament assembled, and bi auctoritee of the same, be it enacted, stablished and ordeyned, deemed and declared, that the said Richard Duke of Gloucestre, otherwise called King Richard the iii^d, . . . [and 28 others who are named] . . . stand and be convicte and atteinte of High Treason, and disabled and forejugged of all manner of honors, estate, dignitee and prehemenence, and the names of the same, and forfeit to oure said Sovereigne Lord, all castelles, mannors, lordshipps, . . . whereof they or eny other to the use of eny of theym, were seised or possessed the said xxist daie of August, or att any tyme after, within the reame of England, Ireland, Walles or Caleys, or in the Marches thereof, in fee simple, fee taille, or terme of lyfe or lives.

[(b) Proceedings on 19 November. *Ibid.*, p. 287b (Latin).]

Memorandum that for the reform of certain great and incredible crimes prevalent in the kingdom of England, and for the punishment of those guilty of the same, a certain article, which read as follows, was devised to be sworn and promised in the aforesaid Parliament.

Yee shall swere, that yee from henceforth shall not receive, aid ne comforte, any persoune oopenlie cursed murderer, felon, or outlawed man of felony, by you knowen so to be, or any such persoune lett to be attached or taken therefore by the order of law, nor reteine anie man by indenture or othe, nor give livere, signe, or token, contrarie to the law, nor any maintainance, imbracerie, riotts, or unlawfull assemblie make, cause to be made, or assent thereto, nor lett nor cause to be lettred the execucion of any of the kinges writts or precepts, directed to such lawfull ministres and officers, as ought to have execucione of the same, nor lett any man to baile or mainprise, knowing and deeming him to be felon, upon youre honour and worship. So God you helpe and hys Saints.

Thereupon many wellknown knights and esquires both from the household of the said Lord King and from the House of Commons, who had been summoned to come to the present Parliament on the 19th day of November, were called into the Parliament Chamber before the King and the Lords Spiritual and Temporal then present, and after the aforesaid article had been publicly recited in their presence, each of them swore and promised on the Holy Gospels to observe and keep that same article.

And later in the same day, after the departure of the said knights and esquires from the Parliament Chamber, the Reverend Father John, Bishop of Worcester, Chancellor of England, pointed out to the Lords Spiritual and Temporal then present how the aforesaid knights, esquires and other gentlemen had discharged their oaths just as had been arranged between all the lords: and he asked them if they wished to do the same. They answered unanimously saying "We are ready to do the same." After an interval, the aforesaid article was again recited in the presence of

the said Lord King and by his command. And when this had been done, all the aforesaid Lords then present freely swore and promised (each Spiritual Lord placing his right hand on his breast, and each Temporal Lord placing his right hand on the Holy Gospels) to keep, observe and perform that article, in all its particulars.¹

[(c) The Commons and the King's marriage. *Rot. Parl.*, vi. 278a (Latin).]

Memorandum, on the 10th of December in the present year, the Commons of England assembled before the King in full parliament, humbly petitioned his royal highness through their Speaker, Thomas Lovell, lovingly seeking that since it had been established and enacted by the authority of the same parliament that the inheritance of the kingdoms of England and France . . . should be and remain in the person of the same Lord King and the heirs of his body, lawfully begotten, that his royal majesty would take to wife the distinguished lady Elizabeth, daughter of Edward the Fourth.

7.

[Letter of John de Giglis, papal collector, to Pope Innocent VIII., 6 December, 1485. Campbell, *Materials*, i. p. 198. The letter is summarised in *Cal. State Papers, Venice*, i. 506. (Latin).]

Most blessed Father, after most humble commendation and kisses of thy most blessed feet. Since the last letters which I wrote to you, most Holy Father, little or nothing new has occurred in the state of these affairs. Certainly, a public assembly of the kingdom, which they call Parliament, is being held for the information of the kingdom, and in this some acts have been passed, the chief of which is a

¹ The names of 30 spiritual peers and 18 temporal peers who took the oath are given.

general pardon of all offences committed against the king. The earl of Northumberland, who had been captured and imprisoned, has been set at liberty, but on security from all the prelates, temporal lords, and also the commons. The earl of Surrey is still kept in prison: but I hear that he will be released. The eldest daughter of King Edward has been declared Duchess of York. There are persistent rumours that the king is about to marry her, a thing which all consider will be most beneficial for the kingdom. The king himself is considered most prudent and also very merciful: all things seem disposed towards peace if only mens' minds remain constant. For there is nothing more harmful to this kingdom than ambition and insatiable greed, the mother of all faithlessness and inconstancy: and if God will preserve us from this, the condition of this kingdom will be peaceful. . . .

P.S. Before closing this letter I have heard that the lords of Bath and Salisbury have been freed, though they lose all their goods. I had heard this previously but did not mention it because I was not certain about it. Both are detested by all and not undeservedly so. Ambassadors are here from the king of France and the dukes of Austria and Brittany. It is believed that there will be peace with them.

8.

[Henry's Northern Tour, March, 1486. B.M. Cott., Jul. B. XII. f. 8b, printed though not with strict accuracy, in Leland's *Collectanea*, iv. pp. 185 ff. In the following extracts from the original, its free, though meaningless, use of capitals has not been strictly followed.]

A shorte and a briefe memory by licence and correccion of the fust progresse of oure souveraigne lorde King Henry

the vijth after his noble Coronacion Cristemas and Parliament holden at his palyos of Westminster towards the north parties. In the []¹ day of Marche [Henry] toke his hors wele and nobley accompaniede at Seint Johns of London and rode to Waltham and from thens the high way to Cambrige wher his grace was honorably receyvede both of the Unyversitie and of the Towne. And from thens he roode by Huntingdon Staunforde and to Lincolne and ther his grace kepte right devoutly the holy fest of Ester and full like a cristene prince hard his dyvyne service in the cathedrall chirche and in no prive chapell. And on Sherethursday he had in the Bissshops Hall xxix poore men to whom he humly and cristenly for Cristes love w^t his noble handes did wesse the fete and yave as great almes like as other his noble progenitors Kings of England have been accustomed aforetyme. And also on good ffriday after all his offerins and observaunces of halowing of his ringes after dyner yave merveolous great summes of mony in grotes to poore people besides great almes to poore freres prisoners and lazares howsez of that countrey. . . .

[Henry proceeded northwards via Nottingham, Doncaster, and Pontefract. B.M. Cott., Jul. B. XII. f. 9b.]

And by the way in Barnesdale a litill beyonde Robyn Hoddez stone Therle of Northumbreland with right a great and noble company mete and yave his attendaunce upon the King, that is for to saye w^t xxxiiij knyghtes of his feedmen beside esquiers and yomen. . . . And so proceded that same mondaye to Pomfret where his grace remaynede unto the thursday next folowing at whiche day the King was accompanied w^t great noblesse as above saide and merveolous great nombre of so short a warnyng of esquiers

¹ Blank in MS.

gentilmen and yomen in defencible array, for in that tyme ther wer certeyne rebelles aboute Rypon and Midlem whiche undrestanding the Kinges myght and nere approaching within ij dayes disperclede. And at Todcastell the King, richely besene in a gowne of cloth of golde furred w^t ermyntoke his courser. His henshemen and folowers also in golde smythez werk wer richely besene. At the further ende of the brigge foote the shriffes of York wele accompanied mette the King and so procedede and bere there white roddes afore his grace. And nere hand iij myles oute of Yorke the maire of that citie and his brether w^t othre great nombre of citezeins al on horsbak receyved the King. And Vavasour, Recordre of the same citie had the speche in bidding the King welcome and also recomaunded the citie and the inhabitauntes of the same to his good grace. And half a myle w^toute the gate of that citie the processions of al the orders of freres receyved the King . . . w^t merveolous great nombre of men women and childern on foote whiche in rejoysing of his commyng criden King Henry King Henry and saide oure Lorde preserve that swete and welefaverde face. And at the gate of the citie ther was ordeynede a paiaunt w^t dyvers personages and mynstrelsyez.

9.

[Intrigues in Flanders, February, 1487. *Ibid.*, f. 25. Leland, *Collectanea*, iv. p. 208.]

And after Candell masse the King being at shene had a great counsell of his lordes both spirituelx and temporelx at whiche tyme ther was a great ambassade of fraunce. And at that Counseill was Therle of Lincoln whiche incontynently after the saide Council departede the lande and

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went into flaunders to the Lord Lovell and accompanied himsilf w^t the Kinges rebelles and enemyes noysing in that countrey that Therle of Warwik shulde bee in Irelande whiche himselffe knew and dayly spake w^t him at Shene afore his departing. And in the begynnyng of Lentone¹ after his arryvvyng in thoos parties there they dayly preparede them to the see and in conclusion so departed into Ireland al thorough the narow see.

10.

[Battle of Stoke, 16 June, 1487. B.M. Cott., Jul. B. XII. f. 28b.

Leaving Kenilworth Henry marched towards Nottingham. On the way spies were captured and hanged for spreading false rumours of the King's defeat: and the royal army was joined by the lord Strange "which brought w hym a greate hoste inow to have beten al the kinges enemyes only of my lorde his faders Therle of Derbye folkes and his."]

And from thens on the friday the King undrestanding that his enemyes and rebelles drew towardes Newarke warde passyng by Southwelle and the furside of trente the King w^t his hoste remevede thederwardes and logged that nyght beside a village callede Ratchliffe ix myle oute of Newark. And that evenyng ther was a great Skrye whiche causede many cowardes to flee. But therle of oxinforde and al the nobles in the fowarde with hym were sone in a good array and in a faire bataile and so was the King, and al the very men that ther wer. And in this escrye I harde of no man of worship that fledde but Raskelles. And on the morne whiche was Satirday [the King]² erly arros and harde ij masses wherof the Lorde John Fox Bisshop of Excestre sange the tone. And the King had v good and

¹ Lent.

² Omitted in MS.

true men of the village of Ratecliffe whiche shewde his Grace the beste way for to conduyt his hoost to Newark whiche knew welle the countrey and shewde wher were marres and wher was the Ryver of trent and wher were vilages or grovys for bussshementes or strayt weyes that the King myght conduyt his hoost the better. Of whiche guydes the King yave ij to therle of Oxinforde to conduit the fowarde and the remenaunt reteyned at his pleasur. And so in goode ordre and array before ix of the klok beside a village callede Stooke a large myle oute of Newarke his fowarde recountrede his enemyes and rebelles wher by the helpe of almyghty God he hade the victorie. And ther was taken the lade that his rebelles callede King Edward whoos name was indede John by a vaylent and a gentil esquier of the Kinges howse called Robert Bellingham.

11.

[Battle of Stoke. *Chronicle of Calais*, p. 1.]

Ther was slayne the erle of Lyncoln, syr Martyn Swarte, a Fleminge that came into England with the forsayde erle out of Flaunders from the dutches of Burgoyne kyng Edward the fourth's systar, for she was the earles aunte, and she would have made hym kynge of England, but the erle was slayne and many other that bare armes that day, and the lorde Lovell was nevar sene aftar.

12.

[Punishment of the rebels. *Rot. Parl.*, vi. 397a.]

Forasmoch as, the xixth day of the moneth of Marche last past, John late Erle of Lincolne, nothyng consideryng

the greate and sovereygn kyndnes that oure sovereygne leige lorde that nowe ys, at dyvers sundry tymes, contynuelly shewed to the said late erle, but the contrarye to kynd and naturall remembraunce, his faith, trouth and allegeaunce, conspired and ymagyned the most doloruse and lamentable murder, deth and destruction of the roiall persone of oure said sovereygne and leige lorde, and also distruction of all this realme, and to perform his said malicious purpose, traiterously departed to the parties beyond the see, and ther accompanied hymselfe with many other false traitours, and enemyes to our said sovereygne leige lorde, by longe tyme contynuyng his malyce, prepared a grete navye for the coostes of Brabon, and arryved in the portes of Irland, where he with Sir Henry Bodrugan, and John Beaumound squier, ymagyned and conspired the destruction and deposition of oure said sovereygne liege lorde; and for the execution of the same ther, the xxiiith day of May last passed, at the cite of Develyn, contrarie to his homage and faith, trouth and allegiaunce, trayterously renowned, revoked and disclaymed his owne said most naturall sovereygne leige lord the kyng, and caused oone Lambert Symnell, a child of x yere of age, sonne to Thomas Symnell, late of Oxforde joynoure, to be proclamed, erecte and reputed as kyng of this realme . . . and frome thens, contynuyng in his malicious and trayterous purpose, arived with a greate navie in Furnes in Lancashire, the iiith day of June last past . . . and frome thens, the same day, he . . . with many other ill disposed persones and traytours. . . . contynuelly in hostyle maner passed fro thens from place to place, to they come to Stoke. . . .

Therefore be it enacted . . . that the said John late Erle of Lincoln . . . [and 27 others] . . . be reputed, jugged

and taken as traytours, and convicte and attaynte of high treason.

13.

[Coronation of Elizabeth, 25 November, 1487. B.M. Cott., Jul. B. XII. f. 30. Leland, *Collectanea*, iv. 216.]

The Kyng our souveraigne Lorde the thirde yere of his moost noble reigne at Warwik the monethe of Septembre last passede determynede the coronacon of Elzabeth his dere wiff eldeste doughter and heire of the famous prince and excellent memorye of King Edwarde the iiijth to be solempnysede at Westminster the day of Seynt Kateryn then next ensuyng: and therupon directed his moost honorable lettres unto the nobles of this his realme to geve ther due attendaunce upon the same and directe[d] also othre lettres unto dyvers nobles to prepare and arredy theymsilf to be with his grace at London at a certeyne day to theym appoyntede ther to be made Knyghtes of the Bath. And so to reseve the honorable order of knyghthode in worshiping the saide Coronacon.

14.

[Woodville's expedition to Brittany, May 1488. Hall's *Chronicle*, p. 439. Hall's version is a fairly close rendering of the Latin account to be found in Polydore Vergil, *Historia Anglica* (ed. 1580), p. 577.]

Syr Edward, lord Wooduile vncle to the Quene, a valyaunt Capitayne, and a bolde champion, either abhorryng ease and ydlenes, or inflamed with ardent loue and affeccion toward the duke of Britayne, desyred very earnestly of kynge Henry, y^t if it were hys will and pleasure,

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that he with a conuenient number of good men of warre woulde transport hym selfe into Briteine, for y^e aide and defence of duke Fraunces, the kynges assured and proued frende. And least it should sowe or kyndle any dissencion or ingratitude betwene the Frenche kyng and him, he sayde that he woulde steale priuely ouer, and without any licence or pasporte,

[Henry, hoping for peace, did not wish to offend France by giving consent to such an enterprise.]

Yet this lord Wooduile . . . determined to worke hys busynes secretly without any knowlege of y^e kyng, and went streyght into the Isle of wight, wherof he was made ruler and capitayne, and there gathered together a crewe of tall *and* hardye personages, to the number of iiij. C. and with prosperous wynde and wether arrayued in Briteyne, and ioyned hym selfe with the Brytons agaynst the Frenche power and nacion.

[The French fought the decisive battle of St. Aubin du Cormier, 28 July, 1488.]

In thys conflict were slayn almost all the Englishmen, *and* six M. Brytones, emongest whome were founde dead the lorde Wooduile,

15.

[Provisional agreement between England and Spain, 7 July, 1488.¹
Cal. State Papers, Spain, i. 20.]

1. The ambassadors and commissioners have agreed that the Princess Katharine of Spain shall marry Arthur, Prince

¹ Ferdinand and Isabella were represented by De Puebla and Sepulveda. Henry's representatives were Richard, Bishop of Exeter and Giles Daubeney. The agreement was made in London.

of Wales. The marriage portion of Katharine is to consist of a sum of money, the amount of which the commissioners of Henry VII. have made known to the ambassadors of Spain in a separate paper. One half of it is to be paid as soon as the Princess arrives in England, the other half on the day of the solemnization of her marriage. All such Spanish subjects as reside in London are to be security for the punctual payment of it. The Princess is to be endowed with the third part of the revenues of Wales, Cornwall, and Chester.

2. Ferdinand and Isabella are to send the Princess, in a decent manner, and at their own expense, to London.

3. They are to dress their daughter suitably to her rank . . . and to give her as many jewels, &c., for her personal use, as becomes her position.

4. The Princess is to succeed to all property that may descend to her in Spain.

5. Treaties of peace, commerce, and alliance to be what they were thirty years ago.

6. Either of the contracting parties is to assist the other when attacked by an enemy; the party who demands assistance to pay the expenses. Rebels of one contracting party are not to be permitted to stay in the dominions of the other contracting party. If one of the contracting parties conclude a treaty with other princes, the other party is to be included in the nomination.

7. The King of England is to send ambassadors to Spain, to treat more fully respecting this treaty of peace and alliance.

8. The Spanish ambassadors and the English commissioners are to consult with their respective sovereigns, and to assemble again, before Easter next, in London.

16.

[Letter from John de Giglis, collector of Peter's Pence, to Pope Innocent VIII., 5 October, 1488. *Cal. State Papers, Venice*, i. 535.]

The death of the Duke of Brittany is reported, and that well nigh the whole province is already in the hands of the French, or about to pass into their possession. Flanders is in the situation known to your Holiness. At Calais, an English city in France across the Channel, a French plot has been discovered, about which a great stir was made at first, but now it does not seem so perilous an affair. The King has reinforced the garrison with 1,500 soldiers, artillery and stores. There are ambassadors here from the Commons of Flanders, and some are also expected from the King of the Romans. Anticipates the renewal of commerce which had been interrupted for many years; but is apprehensive of war with France. Negotiations are on foot for an alliance between the King of England and the King of Castile, and for the marriage of their children; though this is not yet public. Henry VII. expects to hold a parliament shortly, in which all matters will be discussed, and the collector will then transmit more certain intelligence. The Archbishop of Canterbury (John Morton) is prime minister, well adequate to everything, excellently deserving of the Apostolic see and of his Holiness, and worthy of honour.

17.

[The consent of the Commons to a grant on the terms suggested above, 23 February, 1489. *Rot. Parl.*, vi. 420b (Latin).]

Memorandum, that on the 23rd. February in the afore-said year, the Commons of the realm of England in the

present parliament appearing before the king in full parliament, declared by their Speaker Thomas FitzWilliam how they, with the assent of the Lords Spiritual and Temporal in the aforesaid Parliament, conceded to the aforesaid Lord King for the recruitment and upkeep of an army of 10,000 archers for the defence of this kingdom against its ancient enemies and adversaries, the sum of £75,000 to be levied under certain forms and rules, conditions and exceptions, as are contained in a certain schedule made and shown to the Lord King in that same Parliament.

18.

[Letter from Bartolommeo Chalco, Ducal Secretary, to the Duke of Milan, 10 March, 1489. *Cal. State Papers, Milan*, i. 379.]

The King of England on the 10th February took St. Omer; 3,500 English entered the gates at the third hour of the night shouting "Burgundy and England." The French sent a large force against them but it availed them little. The courier who brought the letters from Antwerp was present and also a Venetian merchant. These say that the people of England, that is to say, nobles, clergy and commons, have granted an aid of 300,000l. sterling, or more than a million ducats for three years to the king, above his ordinary revenue. They did this so that he might make war on France.

19.

[The treaty of Medina del Campo, 27-28 March, 1489. *Cal. State Papers, Spain*, i. 34.]

1. A true friendship and alliance shall be observed henceforth between Ferdinand and Isabella, their heirs and

subjects, on the one part, and Henry, his heirs and subjects, on the other part. They promise to assist one another in defending their present and future dominions against any enemy whatsoever.

The subjects of one of the contracting parties are allowed to travel, stay and carry on commerce in the dominions of the other contracting party, without general or special passport, and will be treated on the same footing as the citizens of the country in which they temporarily reside.

The customs are to be reduced to what they were in time of peace thirty years ago.

2. Neither party shall in any way favour the rebels of the other party, nor permit them to be favoured or stay in his dominions.

3. Mutual assistance to be given against all aggressors within three months after the assistance has been requested. The assisted party to pay the expenses, which are to be fixed by four knights, two from each side.

4. Henry is not permitted to assist Charles, King of France, or any other prince at war with Spain. Ferdinand and Isabella promise the same to Henry.

5. Henry is not to conclude peace, alliance, or treaties with France without the sanction of Ferdinand and Isabella, who, on their side, bind themselves to the same effect with respect to Henry.

6. As often as and whenever Ferdinand and Isabella make war with France, Henry shall do the same, and conversely.

7. As Henry, however, has concluded a truce with France till the 17th of January next, he is not to call upon Spain, during this truce, to undertake a war with France. For the term of one year after the expiration of the said

truce either party shall be at liberty to conclude a new truce with the King of France, but the other contracting party must be included in it. Should actual war, however, break out "this very day" between England and France, neither Henry nor Ferdinand and Isabella shall conclude a truce without the express sanction of all parties to this treaty, except,—

8. In case the King of France voluntarily restore Normandy and Aquitaine to England, Henry shall be at liberty to conclude peace with him without the consent of Spain; or in case the King of France restore Roussillon and Cerdaña to Spain, then Ferdinand and Isabella shall be at liberty to make peace with him without the consent of England, all other clauses of this treaty remaining in full force. . . .

17. In order to strengthen this alliance the Princess Katharine is to marry Prince Arthur. The marriage is to be contracted *per verba de futuro* as soon as Katharine and Arthur attain the necessary age. . . .

19. The marriage portion is to be 200,000 scudos, each scudo in value 4s. 2d. sterling. One half to be paid when the Princess comes to England, and the other half within two years after. . . .

20. The dowry is to consist of a third part of the revenues of the duchies of Wales, Cornwall, and Chester, which is warranted to amount to no less than 25,000 or at least 23,000 crowns. In case the Princess become Queen of England, she is to enjoy a greater dowry, in the same way as other Queens have done before her.

[Writ to the mayor of Calais ordering the publication of the following proclamation, 5 April, 1489. P.R.O. Close Roll, 4 Hen. VII. m. 6, d.]

For asmoche as certeyne appoyntementes convencions and conclusions of and upon a true perfect and perpetuell amyte liege confederacion union and entrecourse of merchandise have been communed treated and covenanted served contracted determined and concluded betwene the Kynge oure Souveraign Lorde for his Realme, lordships, cuntreis, and other places, his subgettes and liegemen of that oon partie and his moost dere cousyns Maximilian Kynge of Romans and Philip his son Archdukes of Austriche and Dukes of Burgoyne for their Realmes, landes, lordships, cuntreys, and other places, subgettes and liegemen of that other partie as in the lettres patentes entrecchangeably theruppon made more pleyntyly is conteigned: Therfore the Kynge oure seid souveraigne lord chargeth and commaundeth alle and everiche of his subgettes and true liegemen that they nor noon of theym of what estate, degree, or condicion he or they be of, move ne cause to be moved any maner of werre or hostile ayenst his seid cousins or eny of their subgettes by londe, see, ne fresshe waters, but that they and everich of theym peasibly suffre the seide subgettes of his seid cousins aswell marchauntes as othere to entre, come, passe, and repasse into and fro this his seide realme, lande and lordships and other places in every porte and portes and other places of the same with their shippes and vesselx there to discharge and recharge and to make free entrecours of merchandise from tyme to tyme as oft as it shall pleas theyme during the seid amite, liege, confederacion, and union, withoute eny saufconduyt, licence, or saufgarde, and withoute any im-

pediment, arest, or greef other wise than is accordyng to his laws, upon peyne of forfeiture of alle that they may forfeite and their bodyes at the Kynges will.

21.

[The sheriff of Kent ordered to publish the following proclamation with reference to the rebellion in the North, April-May, 1489. P.R.O. Close Roll, 4 Hen. VII. m. 6, d.]

For asmoche as the kyng oure soveraigne lorde for the defence of this his realme of Englande and for repressinge punysshement and subduynge of his greate rebelles and traitours of the North parties of Yorkshire which of late in their rebellions and riottous assemble seduciously and traiterously ayenst al humanyte cruelly murdred and distroid his most dere Cosyn the Erle of Northumberland, a pere of this realme, and of the kyngis most noble blode, and do yet contynue their seid riottous assembly dayly callinge and assemblyng to theym robbers, theves, and alle ille disposed persons, and in mayntenaunce of ther treson and murdre intende not only the distruccion of the kynges most noble person and of alle the nobles and lordis of this realme but also the subversion of the poletique wele of the same, and to robbe, dispoyle, and distroye alle the Southparties of this his realme and to subdue and bryng to captivite alle the people of the same, intendith, therfor, in his most royalle person att his greate coste and charges, with his lordis and nobles accompanied with a greate arme to go toward the seide parte and put hym selff in devoir to recounter and subdue theym by goddis grace of ther seid malicious purpos and intent. And our seid sovereynge lorde the kyng of his blissid mynd and disposicion willing

thes parties nowe in his absence to be sūerly kept and defendid aswell from the invasions and assaultes of his adversaries and enymes outwards as from all other rebellions, insurreccions, and unlawfulle assembles of riot-tours, robbers, and vagabundis, straitly commaundeth and chargeth alle his true liegemen and subiectis that they and every of theym be att alle tymes arredied in their best and defensible arraye to be attendaunt unto the Justices of the peas, the Shirrive, and to other havying ther the kynges auctoryte, and theym ayde, assiste, and obeye in alle thingis as apperteignyth fro tyme to tyme. And that alle Gentlemen reciaunte within the seid Shire not appoyntid to go with the kyng in this viage kepe hospitalite and be resident att ther places to see the gode rule of the contre, and also that alle shirriffs, maiers, bailliffs, constables of townes and villages, and alle other officers assigned for the conservacion of the kynges pease putt theym selff in devoir to represe, subdue, and make to seace alle maner of insurreccions, riottes, routtes, unlawfulle assembles, and alle other mysdoers, vagabundis, fynders and makers of new rumours and tydynges, to attach, arrest, and ymprison, and after ther demeritis to correcte and alle other thinges to doo that shalbe for the conservacion of the peas and gode rule and governaunce and defense of the seid Shire. And that they nor none of theym faile this to do uppon payne of forfeiture of alle that they may forfaite, and their bodies att the kyngs wille.

22.

[Battle of Dixmude. Kingsford, *Chronicles of London*, p. 195.]

Also in this yere the lord Dawbeney, leeftenaunt of Caleys, made a Journey vnto Dykysmewe in fflaunders, leyng sege

vnto the said Towne, the which Towne was strongly fortified w^t ffrenshemen and fflemynghes; notw^tstondyng the said lord Dawbeney with thassistance of the lord Morley gat hym there greate worship, and wan of his Enemyes many greate Gvnnys, which he brought w^t hym to Caleys; but there was slayn vpon the Englysshe party the said lord Morley and vpon an C of Englysshemen, and vpon xxviiij C of þ^e oþer party. And after he cam agayne to Caleys w^t greate Daunger, for the lord Cordes lay fast by w^t a company of xiiij or xv m^l men.

23.

[Parliament met on Monday, 17 October, 1491. On 4 November it was prorogued until 25 January, 1492. It was dissolved on 5 March. *Rot. Parl.*, vi. 444a (Latin).]

On the 4th day of November and the 15th day of the parliament, the Lord Chancellor on behalf of the King thanked the Lords and Commons who were present, for their generosity and benevolence in making the aforesaid grants, and for their diligent attendance in the aforesaid parliament, and said that as many matters concerning the commonweal which had been moved in the present parliament could not be settled owing to the plague which had broken out in the neighbourhood, the parliament would be postponed by command of the King until the 26th of January next.

24.

[Letter of Henry VII. to Pope Innocent VIII., 8 December, 1491. *Cal. State Papers, Venice*, i. 613.]

When of late years the French first attacked the duchy of Brittany, and by a grievous war and a strong hand were

intent on subduing it, we, in virtue of the alliance and amity existing between ourselves and that duchy, sent our ambassadors to the French, declaring we were allied with the Duchess, and also with the Duke during his lifetime, and bound to defend them; and that no injury could be done that duchy that would not be common to ourselves. We therefore requested them to desist from the war, and to recall their force and military power; . . . but while they held out hopes of peace, [they] followed an opposite course, and by incessant, vigorous, and calamitous war, gradually usurped the whole duchy, and reduced it to their power.¹ Nor, indeed, are they satisfied with this, but plot all the mischief they can against us and our neighbours and confederates, their threats increasing daily; and they are, by letters and envoys, instigating the Scots to make war upon us and invade our kingdom, for which purpose they have sent money, arms, and provisions.

They have also by many promises incited certain barons (domicellos) in Ireland and in our kingdom to rebel against us; and to this end they hostilely invaded our borders, committing acts of plunder and conflagration. How they acted in Flanders—by what artfulness they detached the city of Ghent from its obedience to our ally the King of the Romans, and occupied Sluys; how they are daily stimulating many other cities to renounce him and his son the Duke of Burgundy, his future heir, our confederates—is notorious to all men.

We subsequently tried all peaceful means, and could obtain nothing whatever that was just and fair, so nothing

¹ By a preliminary agreement on 15 November, 1491, followed by a final agreement on 6 December, 1491, the duchess of Brittany was married to Charles VIII. of France.

remains for us but to repel these manifold wrongs. We wage this war of necessity, having left nothing whatever untried for the maintenance of peace and friendship, and would rather cede something of our own than exchange peace for war, there being nothing more abhorrent to us than the slaughter of men and the shedding of Christian blood. Really such intense and insatiable coveting of the dominions of others cannot be borne. We thoroughly comprehend what ruin threatens all neighbouring nations and races if such violent thirst for annexation be not checked; for if similar insolent lawlessness were left unbridled, we know not whether it might not extend itself even to the detriment of certain Italian potentates, and likewise inflict some trouble and injury on your Holiness and the Apostolic see, through that Pragmatic Sanction, which we always condemned.

25.

[The invasion of France, October, 1492. Having made Arthur, Prince of Wales, regent during his absence, Henry embarked at Sandwich. The following extracts suggest the course of events.]

[*a. Registrum Annalium Collegii Mertonensis*, p. 167 (Latin).]

In this year on the 2nd of October, King Henry the seventh, in the eighth year of his reign, crossed over to Calais with a great fleet of armed men towards and against the King of the French, who had inflicted very great injuries on the said King.

[*b. Chronicle of Calais*, p. 2.]

And the 19. of Octobar [Henry] departyd from Caleis toward Boleyne with his army, and lay the first night at Sandynfelde, the next night at Margyson, and ther met

with hym therle of Oxenforde, chefe capitayne of the forwarde, then comynge from the betinge downe of the towne of Arde, and with the erle of Oxenforde cam the erle of Shrowesbery, the erle of Devonshire, the erle of Suffolke, the erle of Essex, the lorde Gray [of] Codnor, the lorde Straunge, the lorde Powise, the lorde Hastings, the lorde Awdley, the lorde Latimere, the baron of Dudley, and dyvers knyghts and esquiers, and laye the same night at Margyson before the kinge, and the next night bothe wards laye at Wymelle, and the next night bothe ostes cam before Boleyne, and there at the seige still unto viij. day of Novembar nexte folowyng.

[c. Kingsford, *Chronicles of London*, p. 197.]

Item the ixth day of Nouember was Red in the Guyldehall before the Mayr, Aldermen, and Comon Counsaill, a letter sent from the kyng vnto the Cite, of the conclusion of the pease bitwene the kynges of England and of ffrance for the terme of either of their lyves and for a yer after of hym that lengest lyved. And for to haue this peas establisshed the ffrensshe kyng graunted vnto our souerayn lord to be payed in certayn yeres vij C and xlvM^l Scutis, which amounteth in sterlyng money to an Ċ and xxvijM^lvjC lxxvj li. xiiij s. and iiij d. And aftir it was showed by the mowth of my lord Chaunceler in powles Chirch, wher aftir was songyn w^t greate solempnyte *Te Deum*, wherat the Chaunceler was present.

[d. *Ibid.*, p. 197.]

In this yere, the xviijth day of December, the kyng landed at Dovir, and so came to Grenewich wher he restid hym; and the Satirday before Cristemasse he was met w^t the Mayr, Aldermen and certayn comoners at blakheth

clothed in violet, and so brought through the Cite and so to Westmynster.

26.

[The Peace of Etaples. The treaty was concluded on 3 November, 1492. The ratification by Charles VIII. was made on 6 November, 1492. *Rymer*, V. iv. 52, but a better version is printed in Pollard, *Sources*, iii. p. 7.]

We have agreed, bargained, and concluded, and by these presents do agree, bargain, and conclude, the following articles: First, that a good, sincere, firm and perfect peace, friendship, and treaty shall be inviolably made and observed between the most powerful Kings of France and England aforesaid, their countries and all their dominions, their heirs and successors, vassals and subjects, present and future, and any allies or confederates of either of them, who wish to be included in this peace . . . by land, sea, seaports, and fresh waters: and that the said friendship, peace and treaty shall have effect immediately after the date of these presents, and shall last during the lives of both of the aforesaid princes, and of the one who lives the longer, and for one whole year after the death of the one who last dies. Provided however that the successor of the king who first dies shall be held to ratify and confirm this treaty with his letters signed by his great seal within one year from the day of the death of his predecessor, and to notify send and deliver the said ratification and confirmation to the surviving king.

Also, that during the term aforesaid, battles, wars, hostilities, and rivalries of all kind between the aforesaid kings . . . shall completely cease . . .

Also, that all vassals and subjects of both the aforesaid

princes . . . shall be able freely, safely, and securely, without hindrance of any kind, either by safe conduct or licence, to travel by land, navigate by sea and fresh waters, go to and fro between ports, dominions, and all districts of each of the said princes, (as long as the number of armed men does not exceed one hundred), to stay in those places as long as they please, and trade, buy and sell merchandise, arms, jewels, unless prevented by local regulations previously made. . . .

Also, that all impositions or burdens imposed by either of the said princes . . . within thirty years before the date of these presents, upon merchants and subjects of the other prince . . . shall be abolished during this peace, and that such burdens or similar ones shall not be imposed during this friendship: saving however always, the laws, statutes, and customs of regions, cities and places. . . .

Also, that all merchants including Venetians, Florentines, and Genoese, armed or unarmed, shall be able to come safely and freely with their own merchandise and that of others, in ships, carracks, and galleys . . . into the kingdoms of France and England, and shall be able to leave whenever and as often as they wish during the aforesaid peace, without violence, disturbance, interference, or injury from either of the said princes. . . .

Also, the said ambassadors . . . promise on behalf of their princes . . . that neither of the said princes . . . will do, plan or attempt anything in any place either by land or sea, and will offer no help, counsel or consent to anything that is done, planned, or attempted to the injury or hurt of either party. . . .

Also, that armed men, men of war, criminals, robbers, thieves, pirates, or malefactors, shall not be received, maintained, or favoured against the effect of the present

treaty . . . in any places . . . under the obedience of the King of England. [A similar pledge is made on behalf of the French King.]

27.

[Letter from Perkin Warbeck to Isabella of Castile, 25 August, 1493. *Archæologia*, xxvii. p. 199 (Latin). An abstract will be found in *Cal. State Papers, Spain*, i. 85.]

Most serene and most excellent Princess, most honoured Lady and cousin, I commend me entirely to your Majesty. When the Prince of Wales, eldest son of Edward formerly King of England, of pious memory, my dearest lord and father, was miserably put to death, and I myself, then nearly nine years old, was also delivered to a certain lord to be killed, it pleased the Divine Mercy that that lord, pitying my innocence, should preserve me alive and unhurt. First, however, he caused me to swear on the holy sacrament that I would not disclose my name, origin or family to anyone until a certain number of years had elapsed. He sent me abroad, therefore, with two persons to watch over and take charge of me. Thus I, an orphan, bereaved of my royal father and brother, an exile from my kingdom, and deprived of my country, inheritance, and fortune, a fugitive in the midst of extreme perils, led my wretched life in fear and grief and weeping, and for nearly eight years lay hidden in various provinces. At length, when one of those who had charge of me was dead and the other had returned to his country, never afterwards to be seen, I remained awhile, scarcely emerged from childhood, alone and without means in the kingdom of Portugal. From there I sailed to Ireland where I was recognised by the illustrious lords, the Earls of Desmond and Kildare, my

cousins, and also by other noblemen of the island, and was received with great joy and honour. When the King of France invited me with many ships and attendants and promised me aid against Henry of Richmond, the wicked usurper of the kingdom of England, I came from here to the aforesaid King of France, who received me honourably as a kinsman and friend. Since the promised assistance was not forthcoming, I went to the illustrious Princess, the Lady Duchess of Burgundy, my father's sister and my very dear aunt, who in her humanity and virtue welcomed me with all piety and honour. At the same time out of deference to her, the most Serene King of the Romans and his son the Archduke of Austria and the Duke of Saxony, my dearest cousins, and also the Kings of Denmark and Scotland sent their envoys to me for the sake of friendship and alliance. The great nobles of the kingdom of England secretly did the same for they hate the proud and wicked tyranny of this Henry of Richmond. . . . I promise if the Divine Grace should restore to me my hereditary kingdom that I shall continue with both Your Majesties in closer alliance and friendship than ever King Edward was.

28.

[Henry retaliates upon the Archduke Philip and his Council for their refusal to suppress Perkin's plots, 18 September, 1493. *Cal. Pat. Rolls*, 1485-1494, p. 475.]

Mandate to the sheriff of Lincoln to publish a proclamation . . . forbidding mercantile intercourse with the subjects of the archduke of Austrie and duke of Burgoyne, either by the exportation out of England of any goods grown or made in England, to any parts under the obedience of the

said archduke or to countries adjacent, wool and woolfells from the staple of Calais excepted, or by the importation of any goods from those parts, without licence under the great seal, on pain of forfeiture; officers of ports not enforcing this proclamation to forfeit their places and goods.

29.

[The attack on the Steelyard, 15 October, 1493. Kingsford, *Chronicles of London*, p. 198.]¹

Also this yere the Tewesday before Seynt Edwardes day in the mornyng, at vj of the Clok, was certayn seruauntes of the Mercers assemblid and went downe to the Styleyerd, and there wold haue dispoyled the place; and, or the Mair come and the Shireffes, there was gadred vnto theym a greate people, some to take their parte and some to behold; but the marchauntes had warnyng therof and kept the gatis shet; and assone as the Mayr cam, anoon they fled aswell from the water as from the gate. And dyvers were takyn and sent to pryson. And after searche made it was found that ij of John Pyctons seruauntes were begynnners of this mater, which were takyn; and after theyr examynacion they accused other parsons, which in likewyse were sent to ward, and when they were examyned they accused other. And thus in conclusion were accused to the number of iiij^{xx} and mo, that all or the more party were sworn to kepe eythers counsaill; among the which number was nat one howsholder, but all seruauntes, and

¹ Herbert, *Livery Companies*, i. 406. The drapers' wardens accounts include a sum of 11s. 9d. expended "for cresset-staffs and banners, and bread, ale and candell, in keeping xvij. days watch after the riot at the Steel-yard."

there more party Apprentices and childern. And aftir this dyuers were remaynyng in prison. And some were leten to bayle vpon Surety to be forthcomyng.

30.

[Politics and Commerce, May, 1494. Kingsford, *Chronicles of London*, p. 200.]

In this yer in the moneth of May the kyng of Romainys and tharche Duke his son, Duke of Burgoyngne, for cawse that the kyng of England had Banysshed befortyme all fflaunders waris, and also had Restrained his Englissh Marchauntes and subgettes for to adventure in to any Townes of the said Dukes, the said kyng of Romainys and Duke hath Banysshed all Englissh Cloth and Englissh yerne vpon payne of all suche cloth and yerne ther takyn to be brent, and the brynger therof to lose aboute their Cloth certayn money to the Sum for euery cloth of iiij li. iiij s. iiij d. sterling.

31.

[Henry and Perkin's adherents in England, January-February, 1495. Flenley, *Six Town Chronicles*, p. 164.]

Also on ffryday the xxxth day off Janyvere the seid yere satt in the seid Guyhalde on a determyner the maier the duke of Bukkyngham the lorde markes the Erle off Aronndell the Erle off Derby the Erle of Suffolke the Erle of Essex the Erle of Surrey the Erle of Vrmond the lorde off Burgeveny the lorde Hhastyngs the lorde Daubeney the lorde Denham Sir Reynolde Braye Sir Thomas Lovell dyverse Juges Barons and aldremen and there were brought afore theym the deane off poulis the provynycyall off the

blak fryers the prior off langley Sir Symond momford Sir Robert Ratclyff w^t William Daubeney and his servant Cresseno of Clementes ynne and a dowcheman all whiche persones was endyted off Treson and confessed the same treson save oonly Sir Robert Ratclyff: and there were juged to be drawen from the toure of london to tyborne the dene of poulys the provyncyall of the blak ffryers the prior of langeley and there to be hanged and quartred.

32.

[The attack off Deal, 3 July, 1495. Kingsford, *Chronicles of London*, p. 205.]

Also the third day of July dyvers Rebelles of the kyng aryved at a place in Kent named Dele to the numbere of v or vj C. men and of the same company Remayned vpon the water xiiij Sayles, wherin by Estymacion were mo to the numbere of viij C. men; which forsaide company that were landed, when they sawe that they cowde haue no comfort of the Cuntre, they drewe to their Shippys agayn; at which so w^tdrawyng the Mair of Sandewiche w^t certayn comons of that Cuntre, to the numbere of vij or viij scor, bekeryd w^t the Residue that were vpon land, and toke alyve of theym an Clxix persons, among the whiche was iiij Capiteyns takyn, named Mounford, Corbet, White, and Belt; which said Munford was son vnto sir Symond Mounford, which was before byheded. And of the said Company of Rebelles was ij slayn and dyvers drowned; and they affermed to be their hede Capitayne the second son of kyng Edward the iiijth, which was in one of the said Shippys. And after the said discomfiture the said Rebelles w^{tin} the said shippys drew vp their sayles, and sailed westward. And the xij day

of July the Shiref of Kent, called John Peache, Esquyer, brought vnto London Brigge Clix of the forsaid prysoners; where the Shyreffes of London receyued theym, and conueyd theym in Cartis and long Ropys vnto the Tower of London. And there lefte all the said prisoners, except xliij persons wich the said Shyreffes conueied streyte vnto Newgate; of which said persons the substaunce of theym were Duchemen and Alyauntes; . . . Also vpon the Thursday next folowyng was the aforenamed Belt, Mounford, Corbet and one Malyverey, w^t other of the fornamed prisoners to the numbre of lj, had from the Tower vnto Grenewich, and there areyned; and after their endytementes to theym Red, they confessid theym self worthy to dye, and vtterly put theym silf in the kynges mercy and grace. And the xxiiij day of July was many of the Duchemen and Alyauntes abouesaid areyned at Westminster. in the White hall, and there adjudged to suffre deth. And abowte the said season was Redy tidynges in the Cite that the Capitayne of the said persons was with the Residue of his people landed in Ireland. And the forsaid xxiiij day of July died wthin the Tower the forenamed Capytayne Corbet, of Goddes Visitacion and of the occasion of the greate hurtes and woundes which he Received in tyme of his first takyng.

33.

[An example of Perkin Warbeck's activities, 26 November, 1495. *Cal. Pat. Rolls, 1494-1509, p. 42.*]

Whereas it has been shown to the king on behalf of John Ilcombe of Plymmouth, owner of a ship called *le Cristofre of Plymmouth*, laden with 60 tons of iron from Spain, bound

for England, that he was driven by tempest to the port of Youghull in Ireland, and having put in there and obtained letters of safe conduct from the mayor of Youghull, the rebel and traitor, Peter Warbek, with his fellowship, attacked the said port and the said ship there, and plundered the ship of the said iron and goods in her and sold the same to divers persons of Youghull and Corke, from whom the said John has not yet obtained restitution ; licence for him to seize and arrest any ship or goods belonging to the said towns and to detain the same until he has received compensation for his said losses and reasonable damages.

34.

[The Intercursus Magnus arranged that English towns should be security for the execution of the treaty. The dissatisfaction of the citizens of London with this arrangement is revealed in Kingsford, *Chronicles of London*, p. 209. The bond of the town of Southampton is taken from *The Black Book of Southampton* (Southampton Record Soc.), ii. pp. 164-5.]

To all the faithful in Christ who shall view, see or hear the present letters, John Walsshe, mayor of the town of Southampton . . . and the burgesses and commonalty of the town aforesaid send eternal greetings in the Lord. Whereas certain interchanges of friendly offices, intelligence and merchandise, and of the traffic of merchants, dated at London on the twenty-fourth day of February, in the year of our Lord one thousand four hundred and ninety-five, have been begun, agreed, concluded, and finally determined between the most illustrious prince our supreme lord Henry . . . on the one part ; and the most serene Prince Philip . . . on the other ; and also other treaties and alliances [have been concluded] touching the same princes and the convenience

of their subjects, realms, and countries. And these treaties of friendship and commercial agreements we have seen and understood, and we desire to have them inserted here. Know you that we, the aforesaid mayor, bailiffs, burgesses and commonalty of the town aforesaid, and our successors . . . have promised in good faith, and we and our successors have bound ourselves to the aforesaid most illustrious Prince Philip, Archduke of Austria, Duke of Burgundy, etc., and to his heirs and successors, under pledge and obligation of all our present and future wealth : and so by these presents we do promise and bind ourselves that we shall thoroughly try and endeavour, and as far as shall in us lie, secure that the same lord our king and his heirs and successors shall well, fully and faithfully maintain, observe and fulfil all and singular the aforesaid treaties, as well those of friendship as those of trade.

35.

[Henry joins the Holy League, 18 July, 1496. *Cal. State Papers, Spain*, i. 146. Henry's ratification printed in Rymer, *Fœdera*, V. iv. p. 107, under date 23 September, 1496.]

Henry VII. declares his entry into the league concluded at Venice on the 31st of March 1495. The old treaty remains unaltered in all respects, as far as the old members of the league are concerned. Henry is, however, exempted from the clauses of the treaty which oblige the confederate Princes to succour one another with a fixed number of soldiers, or a fixed sum of money. He is likewise exempted from the obligation of keeping an army always ready to repel attacks on the members of the league. But, in all other respects, he has the same rights and duties as the other confederates.

36.

[The Scottish invasion, 21 September, 1496. *Registrum Annalium Collegii Mertonensis*, p. 202 (Latin).]

In the same year on the 21st of September, James king of the Scots, having broken the treaty which he had made with Henry VII. on his royal word and signed with his great seal, invaded the borders of England with a hostile army, crossing the river Tweed at Yarforde in the county of Norram'. Making his way towards England for a distance of four miles into the country, he began to lay waste the country side with fire and sword causing serious depopulation. . . . For this youthful prince, as yet inexperienced in military matters, believed that he could frighten the unconquered King of England who had the advantage of resources, popular support, and much wisdom gleaned in military adventures. But the young man fared otherwise than he had planned. For King Henry remained undisturbed at the castle of Windsor while the great nobles the earl of Surrey, Lord Nevill son of the Earl of Westmoreland, the lords Clifford, Dakers, and others of the north of England prepared to meet the King of Scots with a powerful trained force. The said King of Scots, fearing lord Nevill who led the attack against the Scots at Morpeth with the other nobles in support, crossed the aforementioned river in eleven hours (though it had taken him two days to cross it on his approach) and fled into his own country in confusion with all his men and equipment, in the night watches of the 25th day of the month.

37.

[A great council which included burgesses and merchants sat from 24 October until 5 November, 1496. Kingsford, *Chronicles of London*, p. 211. A letter from Henry asking for a loan in accordance with the decision of this council will be found in *Christ Church Letters*, (Camd. Soc.), p. 62. The parliament which met on 16 January, 1497, confirmed the action of the council by granting two whole fifteenths and tenths and a second tax. Busch, *England under the Tudors*, p. 109.]

In this yere the xxiiij day of Octobre beganne a grete counsaill holden at Westmynster by the kyng and his lordes spirituell and temporall, to the which counsaill come certeyn burgises and merchauntes of all Cities and good Townes of Englund; at which Counseill was graunted vnto the kyng for the diffence of the Scottes cxx m^l li.; which counseill ended the vth day of Nouembre.

38.

[The Cornish Rebellion, May-June, 1497. *Registrum Annalium Collegii Mertonensis*, p. 208 (Latin). Another account will be found in Kingsford, *Chronicles of London*, p. 213.]

Memorandum in this year about the beginning of May, a great rising of the people occurred in the kingdom beginning in Cornwall where the ringleader was a smith named Michael Joseph. A great multitude of people supported him,¹ but there was none of noble blood except lord Audley. Crossing the counties of Devon, Somerset, Wiltshire, Southampton, they came at length to Blackheath on June 16, where they pitched their camp for the night.

¹ Cp. *Grey Friars Chronicle*, *Monumenta Franciscana* (Rolls Series), ii. p. 181: "Thys yere the commons of Cornwalle arose to the number of xxx Ml."

On the morrow, 17 June, Henry VII. met them with a great multitude of nobles. He gained the victory without great slaughter on either side and the said captain and lord Audley with others were captured and committed in chains to the Tower for their deeds. From there on the 27th of the month the said Michael and one Flammok, a lawyer, were drawn through the places of the city to Tyburn and there were hanged. Their bodies were then taken down and quartered, and by the king's orders were hanged in various cities and places in the kingdom. On the next day, the 28th, the said lord Audley was drawn from Newgate through the places of the city to the place of punishment near the Tower, and there his head was struck off. His body was, by the King's grace buried in the Preachers, but his head was fixed on London Bridge.

39.

[The cause of the rising. Kingsford, *Chronicles of London*, p. 216.]

The cause of Rysyng of those Comons was after the Comon ffame for the graunt of swich money as was graunted at the last parliament, for the which the said Comons put in blame the Archbisshop of Caunterbury, my lord Cardynall, also the Archebisshop of Durham, the Bisshop of Bathe, Sir Reynold Bray and Sir Thomas Lovell, knyghtes, w^t other; which persones their myendes was to have destroyed; this was their owteward Colour, what their Inward intent was God knoweth, but what hath ensued of like besynesse is euydent, as by Jak Straw, Jak Cade, and other.

40.

[Henry's measures against rebels. *Cal. Pat. Rolls*, 1494-1509, p. 115.]

Commission to John Sapcottys, knight, to treat with those who levied war against the king in Devon and Cornwall and to receive such as are willing into favour, and grant them letters patent of pardon.

Commission to John Dynham of Dynham, knight, treasurer of England, John Dygby, knight, the king's marshall, William Vampage, knight, and Robert Rydon, clerk of the council, to call before them James Audeley of Audeley, knight, and to execute the office of constable and marshal of England upon him for conspiring with certain men of Cornwall and Devon and other parts for the subversion of the kingdom and to examine him, hear witnesses and pass sentence and adjudge him to the penalty of death and limbs or other punishment.

41.

[Letter of Henry VII. to the Mayor and Citizens of Waterford, 6 August, 1497. Halliwell, *Letters of the Kings of England*, i. p. 174. Summarised in *Cal. State Papers, Carew Papers, Book of Howth*, p. 468.]

Trusty and well beloved, we greet you, and have received your writing, bearing date the first day of this instant month; whereby we conceive that Perkin Warbeck came unto the Haven of Cork the 25th day of July last passed, and that he intendeth to make sail thence towards our county of Cornwall: for the which your certificate in this part, and for the true minds that you have always borne towards us, and now especially for the speedy sending of your said

writing which we received the 5th day of this said month, in the morning, we give unto you our right hearty thanks, as we have singular cause so to do; praying you of your good perseverance in the same, and also to send unto us by your writing such news from time to time as shall be occurrent in those parts; whereby you shall minister unto us full good pleasure to your semblable thanks hereafter, and cause us not to forget your said good minds unto us in any your reasonable desires for time to come. . . .

[P.S.] Over this we pray you to put you in effectual diligence for the taking of the said Perkin, and him so taken to send unto us; wherein you shall not only singularly please us, but shall have also for the same, in money counted, the sum of a thousand marks sterling for your reward; whereunto you may verily trust, for so we assure you by this our present letter, and therefore we think it behoveful that you set forth ships to the sea for the taking of Perkin aforesaid. For they that take him, or bring or send him surely unto us, shall have undoubtedly the said reward.

42.

[Perkin Warbeck in Cornwall. *Registrum Annalium Collegii Mertonensis*, p. 214 (Latin).]

Memorandum, in that year on 7th September, one Perkin, by nationality a Fleming, pretending that he was the second son of Edward IV., and calling himself Richard, Duke of York, landed at the port of St. Ives in Cornwall and proclaimed himself king of England. About 10,000 Cornishmen who hated Henry VII. on account of their defeat at Blackheath on the previous 17th June, and who

wished to avenge themselves on the king joined him, and they set out towards the east in battle array.

43.

[Events in Cornwall, 17-21 September, 1497. Kingsford, *Chronicles of London*, p. 217.]

And vpon Saynt Mathewes day came certeyn tydynges vnto the Mayre that vpon the Sondag before, beyng the xviijth day of Septembre, the said Perkyn and his complices assawted the Citie of Exetir at ij Gates, that is to sey the Northgate and the East Gate; where by the power of therle of Devenshire and the Citezeins he was put of, and to the numbere of CC. men of the said Perkyns slayn.

And vpon the Monday folowyng he and his people made a new assawte vpon the said Citie, where agayn they wer put of to their more Damage. Albeit that they fired the Gates; at which said Second assawte the Erle of Devenshire was hurt in the arme w^t an arowe. And when the said Perkyn and his Companye Sawe they myght not opteyne their purpoos agayn the Citie of Excetir they w^tdrew theym toward Taunton; where vpon the Weddensday folowyng he mustrid, havynge to the numbere, as it was said, of viij M^lmen; how be it they wer pore and naked. And the nyght folowyng aboute mydnyght the said Perkyn w^t lx horsmen accompanied fled secretly fro the pore Comons levyng theym amased and disconsolat. And after my Lord Chamberleyn, havynge knowlege of this his departure, sent toward the Sees side CC. Sperys to Stoppe hym from the See, and to Serche the Cuntrey yf they myght take hym.

44.

[Henry and the rebels, 30 September, 1497. An entry in the Convocation Book of the Corporation of Wells. *Hist. MSS. Comm., 1st Report, App., p. 107a* (Latin).]

Also on the same day the said Master Nicholas Trappe with other burgesses received the Reverend Father and Lord in Christ the Lord Oliver, Bishop of Bath and Wells, on his first visit to his city of Wells. Also, on the same day, within an hour after the arrival of the said Lord Bishop, the aforesaid Master Nicholas Trappe with the burgesses received our Serene Prince and Lord Henry VII. by the Grace of God of England and France . . . riding with X mill^{ter} (30,000) armed men against a certain Perkin Warbeck, rebel, and other rebels of the said Lord King, from the counties of Cornwall and Devon and elsewhere then gathered at Taunton.

45.

[After submitting to Henry at Taunton, Perkin Warbeck accompanied the King to London. There he repeated the confession he had made to Henry, and was taken to the Tower. Kingsford, *Chronicles of London*, p. 219.]

Here after ensueth the Confession of the said Perkyn and Pedygre.

“ffirst it is to be knowen that I was born in the Towne of Turney, and my ffaders name is called John Osbek; which said John Osbek was controller of the Towne of Turney. And my moders name is Kateryn de ffaro. And one of my Grauntsires vpon my ffaders side was called Deryk Osbek, which died; after whos deth my graunt-mother was married vnto the w^{tin} named Petir flamme; and

that other of my grauntsires was called Petir flam, which was Receyvour of the forsaid Towne of Turney and Deane of the Botemen that be vpon the watir or Ryver of Leystave. And my Grauntsire vpon my moders side was called Petir ffaro, the which had in his keypyng the keys of the Gate of Seynt Johns, w^{thin} the abouenamed Towne of Turney, Also I had an Vncle named Maister John Stalyn dwellyng in the parisshe of Saynt Pyas w^{thin} the same Towne, which had married my ffaders Sister, whose name was Johane or Jane, wth whom I dwelled a certeyn season; and afterward I was led by my moder to Andwarp for to lerne flemmysshe in an house of a Cosyn of myne, officer of the said Towne, called John Stienbek, wth whome I was the Space of half a yere. And after that I retourned agayn vnto Turney by reason of the warres that wer in fflaunders. And w^{thin} a yere folowyng I was sent wth a Merchaunt of the said Towne of Turney named Berlo, and his Maister's name Alex., to the Marte of Andwarp, where as I fill syke, which sykenesse contynued vpon me v. monethes; and the said Berlo set me to boorde in a Skynners hous, that dwelled beside the hous of the Englessh nacion. And by hym I was brought from thens to the Barowe Marte, and loged at the Signe of thold man, where I abode the space of ij monethes. And after this the said Berlo set me wth a merchaunt in Middelborough to seruice for to lerne the language, whose name was John Strewe, wth whome I dwelled from Cristmas vnto Easter; and than I went into Portyngale in the Cumpany of Sir Edward Bramptons wif in a Ship which was called the Quenes Ship. And whan I was comen thider I was put in seruice to a knyght that dwelled in Lusshebourne, which was called Petir Vacz de Cogna, wth whome I dwelled an hole yere, which said knyght had but one Iye; and than because I desired to se other

Cuntrees I toke licence of hym. And than I put my silf in seruice w^t a Breton, called Pregent Meno, the which brought me w^t hym into Ireland. And whan we wer there aryved in the Towne of Corke, they of the Towne, because I was arayed w^t some clothes of silk of my said Maisters, came vnto me and threped vpon me that I shuld be the Duke of Clarence sone, that was before tyme at Develyn. And for as moch as I denyed it there was brought vnto me the holy Euaungelist and the Crosse by the Mayre of the Towne, which was called John Lewelyn; and there in the presence of hym and other I toke myn Othe as trouth was that I was not the forsaid Dukes Son, nother of none of his blood. And after this came vnto me an Englissh man, whose name was Steffe Poytron, w^t one John Water, and said to me in sweryng grete Othis, that they knew wele I was kyng Richardes Bastarde Son; to whome I answerd w^t hie Othis that I were not. And than they advised me not to be afferd but that I shuld take it vpon me Boldly, and iff I wold so do they wold ayde and assiste me w^t all theyr powr agayn the kyng of Englund; And not only they, but they were well assured that therles of Desmond and Kildare shuld do the same, ffor they forsid not what party so that they myght be revenged vpon the kyng of Englund; and so agaynst my will made me to lerne Ing-lisshe, and taught me what I shuld doo and say. And after this they called me Duke of York, the Second Son of kyng Edward the ffourth, because kyng Richardes Bastarde Son was in the handes of the kyng of Englund. And vpon this the said John Water, Steffe Poytron, John Tiler, Huberd Bourgh, w^t many other, as the forsaid Erles, entred into this fals Quarell. And w^tin short tyme after this the ffrensshe kyng sent vnto me an Embasset into Ireland, whose names was loyte Lucas and Maister Steffes

ffrion, to aduertise me to come into ffraunce; and then I went into ffraunce, and from then into fflaunders, and from fflaunders into Ireland, And from Ireland into Scotland, and so into Englund."

46.

[The escape of Perkin Warbeck, 9-18 June, 1498. Kingsford, *Chronicles of London*, p. 223.]

Ye haue hard before of the takyng of the Perkyn, and his confession and pedigrew; and how graciously it plesyd the kynges grace to Deale w^t hym, and after kept hym in his court at liberte; which grete benefetes vpon the said Perkyns party forgotyne, he vpon Trinite Sunday evyn, vpon Saterdag, beyng the ixth day of Junii, aboute Mydynyth, stale A way owte of the Court, the kyng beyng then at Westmynst.', for whom was made grete serch.

The said Perkyn after he was departed, as before is said, went vnto shene; and ther made swych petyous mocyons vnto the ffader of the plaise, that after he had set hym in Suyr kepyng went vnto Westmynst.' and ther gate pardon of the kyng for hys lyffe, and so was browgth Agayne to the kyng. And the ffryday next folowyng was made w^tin the palays at Westmynst' a scaffold of pipis and of hoggysshedes; and there vpon a peyr of stakes he was set A good part of the fore none; And ther was wondred agene vpon, as he had ben ofte tymys before.

And vpon the monday folowyng was a scaffold made in Chepyssyde, foreagayn the kynges hede, where vpon the said Perkyn stood from x of the mornyng tyll iij of the klok at after none, where he was excedyngly wondred vpon. And the same after none abowte thre of the Clok he was browgth from the said place thorwth Cornhille vnto the

Towir of London, w^t Officers of the Cite and also of the said Towir folowyng.

47.

[The Cornish Rebellion. A commission issued, 13 September, 1498.
Cal. Pat. Rolls, 1494-1509, p. 159.]

Commission to Thomas Harrys, clerk, king's chaplain, William Hatchlyff, esquire, clerk of the accounts of the household, and Roger Holland, esquire, to call before them and examine all persons of the counties of Devon and Cornwall who adhered to Michael Joseph, rebel and traitor, or to a certain idol or image (*idolo sive simulacro*) by name Peter Warbek, a man of the lowest estate, or who aided them, and who have not appeared before the king or others, commissaries in these parts, and submitted to the king's grace, and have not obtained the king's grace and pardon, and made fines in proportion to their offences; and others who fled and hid themselves and still persist in their malice; and all persons who have taken the goods whether of delinquents or non-delinquents; and who will submit to the king's grace. They are to impose upon them fines and ransoms in proportion to the kind and amount of their offences and exact from them recognizances, securities and bonds as well for the payments of such bonds as for their future good behaviour and to send the same into the chancery, and to issue pardons to them; and to cause proclamation to be made of the disobedient and cause their lands and possessions to be taken into the king's hands by sheriffs, escheators and others and their bodies to be taken and kept in prison without bail until order is given for their delivery.

[Letter from the Milanese ambassador in England to the Duke of Milan, 17 November, 1498. *Cal. State Papers, Milan*, 593.]

Sends the reply which his Majesty made to him in writing, after having given it verbally and afterwards put in writing, but not as he intended, and therefore his Majesty had it done and ordered that not a word should be changed. His Majesty put off hearing him for forty days for no other reason except in order not to give offence to the King of France, from whom he obtains more money than in the past and values it more; moreover his Majesty did not speak so graciously as on the previous occasion. The change of affairs in Italy has altered him, not so much the dispute with the Venetians about Pisa, about which the king has letters every day, as the league he understands has been made between the pope and the King of France, which he calculates the Venetians will join against your Excellency, as he cannot believe, supposing the Venetians lose Pisa, that they will not break with your lordship.

The peace of Spain with France also makes him move cautiously, and more than all the large pensions prevail, which are paid at the Court of England by the French with the king's knowledge.

The King and the English think that they need no one, and they do not want to arouse suspicion in the French unless they first see everything upside down. In the kingdom there is nothing new and never will be so long as the king lives.

The King of Scotland, to whom they attach great importance, is on very good terms with the King of England, and negotiations are on foot to give him

England's eldest daughter, who is not more than eight years old, because the negotiations of M. de Roano about Britanny are at an end, although that sovereign is more inclined to the eldest son of Denmark, who is fourteen years old, not only on account of his age, but because Dacia is more formidable to England than to Scotland.

49.

[Wilford's conspiracy, 12 February, 1499. Kingsford, *Chronicles of London*, p. 225.]

This yere vpon Shrove Tuesday was hangid at Seynt Thomas Wateryng a yonge ffelowe of the age of xix yeres, which was son of a Cordwainer dwellyng at the Bulle in Bisshoppesgate strete; for somoche as he entendid to haue made a new Rumour and Insurrexcion w^tin this lande, callyng and namyng hym self Erle of Warwyk; where he hynged in his Shirte from the said Tuesday till the Satirday agayne nyght next folowyng.¹

50.

[Marriage of Arthur, Prince of Wales, and Catherine of Aragon. This second celebration of the proxy marriage took place on 19 May, 1499. *Cal. State Papers, Spain*, i. 241. The marriage conditions of the treaty of Medina del Campo had been renewed in London. 1 October, 1496, and had been ratified by Spain, 1 January, 1497. Henry's ratification had been delayed until 18 July, 1497.]

On the 19th of May 1499, being Whit-Sunday, after the first mass, and at about 9 o'clock in the morning, Arthur Prince of Wales; Doctor De Puebla in his quality of

¹*Cp. Cal. State Papers, Spain*, i. 239 [26 March]. "Henry has aged so much during the last two weeks that he seems to be twenty years older."

proxy of Katharine, Princess of Wales ; William, Bishop of Lincoln ; John, Bishop of Coventry and Lichfield, with many other persons, entered the chapel of the manor of Bewdley, in the diocese of Hertford, in order to perform, and respectively to witness, the nuptial ceremony *per verba de praesenti*, between the said Prince and Princess of Wales.

51.

[Letter from Raimondo [de Soncino] to Ludovic Sforza, Duke of Milan, 13 July, 1499. *Cal. State Papers, Venice*, i. 799.]

There is nothing to write, save that, after the departure of Dr. Ruthal for France, Master (Sir Thomas) Lovel, the King's chief financier, crossed to Calais, and returned with a good sum of crowns, paid by the French King on account of his obligations to the King of England. Has been unable to ascertain the precise sum ; some say 50,000 ducats, others 100,000. Antonio Spinola said he had heard 200,000. Does not believe the amount to be so large, for having had a long conversation with the King, who holds his own glory in becoming account, and having assiduously endeavoured to learn the sum, he thinks it impossible that, if it had been 200,000, the King would have failed to tell him so. The French respect the King greatly, and having lately seized in France a partizan of King Edward's, by name John Taylor, who devised Perkin's expedition to Ireland when the latter first declared himself the son of King Edward, they have surrendered the prisoner to the English ambassadors. Dr. Ruthal has already returned, but his colleague, a layman, remains behind to bring the prisoner with him. Believes that this thing will be held in great account by his Majesty ; much more than 100,000

crowns, as the English may say, "Whither shall I go then from thy spirit, or whither shall I flee from thy presence."

52.

[Execution of Perkin Warbeck and the Earl of Warwick. The report of the trial of the latter will be found in the *3rd Report of the Deputy Keeper of Public Records*, App. ii. 216. Letter from John Pullan to Sir Robert Plumptre, 21 November, 1499. *Plumptre Correspondence*, p. 141.]

Sir, so yt was that Parkin Warbek and other iij were arreynd, on satterday next before the making herof, in the Whithall at Westmynster for ther offences, afore Sir John Sygly, knight marshall, and Sir John Trobilfeild; and ther they all were attended, and judgment given that they shold be drawn on hirdills from the Tower, throwout London, to the Tyburne, and ther to be hanged, and cutt down quicke, and ther bowells to be taken out and burned: ther heads to be stricke of, and quartered, ther heads and quarters to be disposed at the Kyngs pleasure. And on munday next after, at the Gildhalle in London wher the Judges, and many other knyghts, commysioners to inquer and determayn all offences and trespasses; and theder from the Tower was brought viij presoners, which were indited, and parte of theme confessed themselfe gyltie, and other parte were arreynd: and as yet they be not juged. I thinke the shall have Judgement this next fryday. Sir, this present day was new baresses made in Westmynster hall, and thether was brought Therle of Warwek, and arrened afore Therle of Oxford, being the Kyngs grace comysioner, and afore other Lords, (bycause he is a pere of the Realme) whos names followeth; the Duke of Bokingham, Therle of

Northumberland, Therle of Kent, Therle of Surrey, Therle of Essex, the lord Burgenny, lord Ormond, lord Deyngham, lord Broke, lord of Saynt Johns, lord Latymer, lord De la Warre, lord Mountioy, lord Daubeney, lord Hastings, lord Barns, lord Zowch, lord Sentmound, lord Willughby, lord Grey of Wylton, and lord Dacre. And ther Therle of Warweke confessed thenditments that were layd to his charge, and like Judgment was given of him, as is afore rehersed.

53.

[Letter from De Puebla to Ferdinand and Isabella, 11 January, 1500.
Gairdner, *Lett. and Pap.*, i. p. 113.]

Most high and powerful princes, the king and the queen. After kissing the royal feet and the hands of your highnesses, I cause you to know that by the good fortune of your highnesses and of the lady princess of Wales, this kingdom is at present so situated as has not been seen for the last five hundred years till now, as those say who know best, and as appears by the chronicles; because there were always brambles and thorns of such a kind that the English had occasion not to remain peacefully in obedience to their king, there being diverse heirs of the kingdom and of such a quality that the matter could be disputed between the two sides. Now it has pleased God that all should be thoroughly and duly purged and cleansed, so that not a doubtful drop of royal blood remains in this kingdom, except the true blood of the king and queen, and above all that of the lord prince Arthur.

54.

[Letter from Henry VII. to Sir John Paston, 20 March, 1500. *Paston Letters*, vi. p. 161.]

Trusty and welbeloved, we grete yow well, letting yow wete that our derest cousins, the Kinge and Queene of Spaine, have signified unto us by their sundry letters that the right excellent Princesse, the lady Katherine, ther daughter, shal be transported from the parties of Spaine aforesaid to this our Realme, about the moneth of Maye next comeinge, for the solempnization of matrimony betweene our deerest sonne the Prince and the said Princesse. Wherefore we, consideringe that it is right fittinge and necessarye, as well for the honor of us as for the lawde and praise of our said Realme, to have the said Princesse honourably received at her arriveall, have appointed yow to be one amonge others to yeve attendance for the receivinge of the said Princesse; willinge and desiringe yow to prepare yourselfe for that intent, and so to continue in redynesse upon an houres warninge, till that by our other letters we shall advertise yow of the day and time of her arrivall, and where ye shall yeve your said attendance; and not to fayle therin, as ye tender our pleasure, the honor of yourselfe, and of this our foresaid Realme.

55.

[Edmund de la Pole, Earl of Suffolk, had fled from England 1 July, 1499: but had returned on being promised a pardon. In July or August, 1501, he again fled, and made his way to Maximilian at Imst. Kingsford, *Chronicles of London*, p. 233.]

In this yere in the moneth of August departed Secretely out of the lond the Erle of Suff., and so sailed vnto

fraunce, where he accompanied hym with Sir Robert Cursun, knyght, before season in like maner departed ; ffor the which the kyng charged all officers, as serchers and other, to make due serche euey man in his Cuntre to se that noon other in like maner departed his land w^toute his licence.

56.

[The reception of Catherine, 2 October, 1501. *Chronicle of the Grey Friars, Monum. Francisc.*, ii. p. 183.]

Thys yere was send in-to Ynglonde the kyng of Spaynyes thurde doughter, named Kateryne, to be marryd to the prince Arture, and she londyd at Plummothe the viii. day of October, and reseved in-to London in the most ryalle wyse the xii. day of Nouember than Fryday. And the Sondag followynge maryd at Sent Powlles church. And a halpas made of tymber from the west dore to the qwere dore of xii. foote brode and iiiii. fotte of hyghte. And in the myddes of the same marryd. And the fest holden in the byshoppe of London palles. And the day of hare reseving in-to London was made many reche pagenttes ; furst at the bregge, at the condyd in Graschestret, the condet in Cornelle, standerde in Cheppe, the crosse new gylted, at the lyttyle condyd, and at Powlles west dore, ronnyng wyne, rede claret and wytthe, and alle the day of the marriage. And at that same maryge the kynge made lvii. knyghttes.¹

¹Kingsford, *Chronicles of London*, p. 229. On 6 May the Common Council of London granted a fifteenth and a half 'to prepair certeyn pageantes and other charges agayne the comyng of Dame Kateryn, Doughter of the kyng of Spayn.'

57.

[Marriage alliance with Scotland, 24 January, 1502. Kingsford, *Chronicles of London*, p. 255. The marriage was celebrated by proxy on the next day, but the final ceremony was not celebrated until 7 August, 1502. For writ proclaiming the peace *vide Cal. Pat. Rolls*, 1494-1500, p. 289.]

The xxv day of January, beyng Seynt Powles day, was declared at Powles, by the mouth of the prechour, the assurance of the kyng of Scottes and of Dame Margaret, Doughter to our soueraigne lord kyng Henry the vijth. In Joyyng wherof *Te Deum* was there solempnely songen. And in the after none folowyng In dyuers places of the Citie were greate ffires to the number of x or xij. And at euery ffyre an hoggeshed of wyne Cowched, the which in tyme of the ffires brennyng was drunkyn of such as wold; the which wyne was not longe in drynkyng.

58.

[Death of Prince Arthur, 2 April, 1502. *Registrum Annalium Collegii Mertonensis*, p. 262 (Latin).]

On the second day of the same month there died at Ludlow, to the grief and sorrow of our whole kingdom, our illustrious Prince Arthur, a youth of splendid genius, exceedingly distinguished in looks and character, and in the bloom of youth, for he was only sixteen and a half years of age.

59.

[(a) Letter from Ferdinand and Isabella to the Duke de Estrada, 10 May, 1502. *Cal. State Papers, Spain*, i. 317.]

Empower Ferdinand Duke de Estrada, in their name, and in the name of the Princess of Wales,—

1. To reclaim from the King of England the 100,000 scudos which have been paid as the first instalment of the marriage portion of the said Princess of Wales.

2. To demand that the King of England should deliver to the Princess of Wales those towns, manors, lands, &c. which have been assigned to her as her dowry, which is to amount to one-third of the revenues of Wales, Cornwall, and Chester.

3. To beg the King of England to send the Princess Katharine to Spain in the best manner, and in the shortest time possible, and, if necessary, to superintend himself the arrangements for her departure.

[(b) 10 May, 1502. *Cal. State Papers, Spain*, i. 318. The same to the same.]

Empower Ferdinand Duke de Estrada—

1. To conclude with Henry, in their names, and as their ambassador, a marriage between their daughter Katharine and his son Henry, Prince of Wales.

2. To settle the amount, and other terms of the marriage portion, and of the dowry.

60.

[Death of the Queen, 11 February, 1503. *Kingsford, Chronicles of London*, p. 258.]

And vpon Candemas day, in the nyght folowyng the day, the kyng and the Quene then beyng loged in the Towre of London, the Quene that nyght was delyuered of a doughter; where she entendid to have been delyuered at Richmount; and vpon the Saterdag folowyng was the said doughter Cristened w^{tin} the parisshe chirch of the Towre, and named Kateryn. And vpon that day vij nyght, or vpon the Saterdag, beyng the xjth day of ffebruarij, in the mornyng, dyed the noble and vertuous Quene Elizabeth in

the said Tour; vpon whose Soule and all Christen Jhesu haue mercy! Amen!

61.

[Edmund de la Pole, 5 March, 1503. *Ibid.*, p. 259.]

Vpon Sondag, beyng the first Sondag of Lent, and the vth day of March, was at Poules Crosse executed a Solempn Curs w^t book, bell, and Candell; by Reason or auctorytie wherof there was solempnely accursid Edmond De la Poole, Sir Robert Cursun, and other, w^t all such as theym ayded or favered In Will or in dede.

62.

[Prince Henry and Catherine were betrothed 25 June, 1503, in the Bishop of Salisbury's house in Fleet Street. Henry protested against the betrothal, 27 June, 1505. *Cal. State Papers, Spain*, i. 435.]

[Prince Henry] declares before Richard, Bishop of Winchester, that he has been contracted in marriage during his minority to Katharine, Princess of Wales. As he is now near the age of puberty, he declares that he will not ratify the said marriage contract, but, on the contrary, denounces it as null and void.

63.

[Henry VII.'s marriage schemes. Letter from Thomas Lopez to Emmanuel, king of Portugal, 10 October, 1505. Gairdner, *Lett. and Pap.*, ii. p. 146.]

Sire, the king of England is treating to get married in France to the daughter of the count of Angoulême the

Dauphin, or to his mother, and he has sent thither for that purpose lord Somerset his ambassador; he is also trying to marry his daughter to the same Dauphin, and is using great efforts for it.

And he is treating very secretly in this house to marry his son the prince of Wales to the daughter of king Philip, with whom it was treated and promised some days ago when the cardinal here came for the said Dauphin, which makes it likely that the marriage with the Infanta Catherine will be undone, as it weighs much on his conscience.

64.

[The Archduke Philip in England, 16 January, 1506. *Registrum Annalium Collegii Mertonensis*, p. 312 (Latin).]

On the 18th [*sic*] of this month the Archduke of Burgundy, who, with his wife, was going to Spain to receive the crown and kingdom there, was driven by stress of weather into England in Dorsetshire. Although he was honourably received, yet it was somewhat against his will that he was kept there. And after the king had been informed of his arrival he sent for him and received him with great ceremony.

65.

[The Earl of Suffolk, 16-24 March, 1506. *Chronicle of Calais*, p. 5.]

Edmond a Poole late erle of Suffolke was browght owt of the duke of Burgoyne's lande to Calleys the xvj of Marche [1505-6], and was convayd over to Dover on the xxiiij day of Marche by ser Henry Wiette knight and ser John Wilshere knight and comptrowler of the towne and marches of Calleys, and lx sowldiers of Calleys all in

harneys; where he was receyved by ser Thomas Lovell and othar, and conveyed to the towre of London.

66.

[Henry and Joanna of Castile. Letter from De Puebla to Ferdinand, 15 April, 1507. *Cal. State Papers, Spain*, i. 511.]

Went on Wednesday of Holy Week to the King of England, who was at Richmond. Found him still confined to his room. The King has had a very severe illness. The quinsy had prevented him for six days from eating and drinking. His life was despaired of. Though the King was now better, he still saw very few persons. As soon, however, as the King heard that he wished to see him, orders were given to introduce him into the royal chamber. Remained rather more than two hours with Henry, and showed and explained to him the despatch which had just been deciphered.

The King rejoiced much at the news contained in the despatch; but as, during Holy Week, no business could be transacted, he asked him to return on Easter Monday. Went on that day to Richmond, and remained there eight days, daily conferring with the King in private. Only on rare occasions a few members of the Privy Council were admitted to their conferences.

Henry was at first very little inclined to consent to the postponement of the payment of the marriage portion; but after long and very unpleasant conversations, he was at last persuaded to do so, and wrote the enclosed letter. . . . It has been impossible to induce the King of England to postpone the day of payment to a later date than the Feast of the Archangel Michael, that is to say, for five months and a half.

The plate of gold and silver will be accepted by King Henry at the price at which it is valued in the account, but the jewels and ornaments only for much less. The reason thereof is the following. Henry VII. has the reputation of possessing immense riches. Both the Kings of Naples, Alfonse and his son Ferdinand, and besides them some other Princes, have therefore sent their jewels to the King of England, who has bought them very cheaply. Henry, in such circumstances, will not accept any jewels, except at such a price as he could get for them if he sold them in London. He is fully justified in doing so by the treaty which Ferdinand, Duke de Estrada, has concluded.

Begs King Ferdinand not to value too highly the jewels which are to be given in payment of the marriage portion of the Princess. If he were to do so, Henry would resent it very much. But it could perhaps be arranged that he should reserve to himself the right to take the jewels back within the first year if he paid the money for which they had been accepted. Begs the King of England and the Princess of Wales may not be told that this proposal comes from him.

As to the marriage of the Queen of Castile, the King of England and the few counsellors who are initiated in the matter approve fully of his discreet manner of proceeding. There is no King in the world who would make so good a husband to the Queen of Castile as the King of England, whether she be sane or insane. Thinks she would soon recover her reason when wedded to such a husband as Henry. King Ferdinand would at all events be sure to retain the regency of Castile. If the insanity of the Queen should prove incurable, it would perhaps not be inconvenient that she should live in England. The English seem little to mind her insanity, especially since he has assured

them that her derangement of mind would not prevent her from bearing children.

The answer of the King of England in this matter is the following: King Ferdinand intends soon to return to Castile, and wishes to speak with Queen Juana about this marriage. If he write from Castile that the King of England must send an ambassador, the ambassador would be sent without an hour's delay, with sufficient power, not only to conclude the marriage treaty with King Ferdinand, but also to contract the marriage in his name with Queen Juana, *per verba de præsenti*. King Henry says that this arrangement is preferable to any other, because it does not expose him to the danger of his ambassador not being heard by the Queen, or, if heard, of meeting with a refusal.

67.

[Henry's death, 21 April, 1509. *Coventry Leet Book* (Early English Text Soc.), iii. p. 625.]

Mem. that this yere dyed kuyng (*sic*) Henry the vijth the xxij day of April; and he graunted byfore his deth a generall pardon of all maner of hawte tresons, pety tresons, felonies, Roberyes, etc. And after his deth his son kuyng Henry the viijth ratyfiyd and confermid the same with more larger wordes for all maner of trespasses, brekyng of statutes, mysvsyng of offices with dyuerse oder articles doon before the xxij day of April then begynnyng his Reyne etc. And the seid Henry the vijth dyed at Rychemount the day afore-rehersid and was brought to London in-to Pollys with many nobles of the Realme & grete nombre of torches and a grete nombre of peple both on horsbak & afote. And after iij dayes beyng in Polles he was brought to Westmynster; and ther he lieth & his

quene Elizabeth with hym in a newe chapell which he causid to be made in his lyffe; on whoos saule Jhesu haue mercy. And his son kyng Henry the viijth was crownyd the same yere at Westmynster the Sonday next after Midsomer day.

68.

[A character sketch of Henry VII., from the funeral sermon preached by Bishop Fisher at St. Paul's, 10 May, 1509. *The English Works of John Fisher* (Early Eng. Text Soc.), i. p. 269. Some slight alterations in spelling have been made.]

his polytyque wysedome in gouernaunce it was synguler, his wytte alway quycke and redy, his reason pyththy and substancyall, his memory fresshe and holdynge, his experyence notable, his counseylles fortunate and taken by wyse delyberacyon, his speche gracyous in dyuerse languages, his persone goodly and amyable, his naturall compleccyon of the purest myxture, his yssue fayre and in good nombre, leages and confyderyes he hadde with all crysten prynces, his mighty power was dredde euery where, not onely within his realme but without also, his people were to hym in as humble subgeccyon as euer they were to kyng, his londe many a day in peas and tranquyllyte, his prosperyte in batayle ayenst his enemyes was meruaylous, his delynge in tyme of perylles and daungers was colde and sobre with grete hardynesse. If ony treason were conspyred ayenst hym it came out wonderfully, his treasour and rychesse incomparable, his buyldynges mooste goodly and after the newest cast all of pleasure. But what is all this now as vnto hym, all be but Fumus & vmbra. A smoke that soone vanyssheth, and a shadowe soone passynge awaye.

69.

[Letter from Ferdinand of Spain to Fuensalida, 11 May ?, 1509. *Cal. State Papers, Spain*, ii. 8.]

After having written the other letters which go by this courier he received his despatches of the 23rd and 27th of April, containing the news that the King of England is really dead. As his other despatches provide for the present contingency, there is nothing to be added to them, except that he must always bear in mind that the marriage of the Princess of Wales with the King of England is the most important business that ever was, or ever will be, confided to him.

In answer to what he has written respecting certain scruples of conscience which were mentioned to him, viz., whether the King would commit a sin by marrying the widow of his deceased brother, he must say that such a marriage is perfectly lawful, as the Pope has given a dispensation for it, while the consequence of it will be peace and friendship between England and Spain, besides which the marriage of the Princess Mary with Prince Charles depends on it.

70.

[Letter from William, Lord Mountjoy, to Erasmus, 27 May, 1509. P. S. Allen, *Letters*, i. p. 450 (Latin); F. M. Nichols, *Epistles of Erasmus*, i. p. 457.]

I have no fear, my Erasmus, but when you heard that our prince, now Henry the Eighth, whom we may well call our Octavius, had succeeded to his father's throne, all your melancholy left you at once. For what may you not promise yourself from a prince, with whose extraordinary and almost divine character you are well acquainted, and

to whom you are not only known but intimate, having received from him (as few others have) a letter traced with his own fingers? But when you know what a hero he now shows himself, how wisely he behaves, what a lover he is of justice and goodness, what affection he bears to the learned, I will venture to swear that you will need no wings to make you fly to behold this new and auspicious star. Oh, my Erasmus, if you could see how all the world here is rejoicing in the possession of so great a prince, how his life is all their desire, you could not contain your tears for joy. The heavens laugh, the earth exults, all things are full of milk, of honey and of nectar! Avarice is expelled the country. Liberality scatters wealth with bounteous hand. Our king does not desire gold or gems or precious metals, but virtue, glory, immortality.¹

71.

[Letter from Henry VIII. to Margaret of Savoy, 27 June, 1509. *Lett. and Pap.*, i. 84.]

Is writing to the Emperor, whom, in consideration of his love towards the late King his father, he makes the participator of his news. Was charged by Henry VII., on his death bed, among other good counsels, to fulfil the old treaty with Ferdinand and Isabella of Spain by taking their daughter Katharine in marriage; now that he is of full age, would not disobey, especially considering the great alliance between Aragon, the Emperor, and the house of Burgundy by reason of the marriage concluded between the Prince of Spain and the King's sister Mary, and considering also the dispensation obtained from the

¹ The writer encloses money to enable Erasmus to come to England.

Pope by Henry VII., the King of Aragon, and the late Queen of Spain. Accordingly the espousals were made between him and Katharine on the 11th inst. On St. John the Baptist's day they were both crowned in Westminster Abbey in presence of all the nobility. The realm is in as good peace as in the late King's time. Begs she will forward his letter to the Emperor, and certify him frequently of news.

72.

[Indictment of Dudley before the commissioners of Oyer and Terminer in London, 18 July, 1509. *3rd Report of the Deputy-Keeper of Public Records*, App. ii. p. 226.]

[The jury present that] Edmund Dudley, late of London, Esquire, as a false traitor, &c., on the 22nd of April, 1 Hen. 8, at London, . . . falsely, feloniously and traitorously conspired, imagined, and compassed how and in what manner he, with a great force of men and armed power, might hold, guide, and govern the King and his Council against the wishes of the King, . . . and falsely and traitorously, and totally deprive the King of his Royal liberty: and to make and move discords, divisions, and dissensions amongst the Magnates and Councillors of the King and his kingdom; and that if by him the said Edmund, or by others his adherents, the King and Council should refuse to be held, ruled, and governed in the before-mentioned manner, then completely to destroy the King, and to depose, remove, and deprive him from and of his Royal authority.

That in order to fulfil such wicked intention, the said Edmund Dudley, wrote or caused to be written divers letters to divers of the King's lieges, . . . requiring

that they, with their servants and adherents, and all their power arrayed in manner of war, should come together and speedily repair to him at London, and adhere to and follow his will . . . by reason whereof a great multitude and power of people, arrayed in manner of war, came to London, in the parish and ward aforesaid, according to the tenor of the letters, against the allegiance of the said Edmund.

73.

[Henry and France. Letters from Andrea Badoer, Ambassador in England, August, 1509. *Cal. State Papers, Venice*, ii. 11.]

An ambassador from the King of France, the Abbot of Fécamp by name, who was corpulent, had arrived. The King being in his palace of Westminster, determined to give him audience, and sent for him. The abbot announced the receipt by his King of a letter from King Henry, requesting friendship and peace, and stated that his King had sent him to confirm the said peace. Thereupon King Henry took offence, and, turning towards his attendants, exclaimed, "Who wrote this letter? I ask peace of the King of France, who dare not look me in the face, still less make war on me!!" With this he rose, nor would he hear any more; so the ambassador withdrew. After this "tilting at the ring" took place. The French ambassador was invited to be present, but no place having been reserved for him upon a stage erected for guests, he departed in dudgeon. The King, however, had him recalled, and caused a cushion to be given him, and he sat down. In short, King Henry holds France in small account.

74.

[Trial and conviction of Sir Richard Empson before commissioners of Oyer and Terminer at Northampton. *3rd Report of the Deputy Keeper of the Public Reports*, App. ii. p. 227.]

Charges that Richard Empson, late of Estneston, in the county of Northampton, Knight, on the 12th March, 24 Hen. 7, perceiving the great illness and debility of the late King, and that in all probability the said late King was in danger of death, and so seized by illness that he could not escape death, traitorously intended and proposed, immediately after the death of the late King, to order and govern the now King according to the will and intention of him the said Sir Richard and others of his kindred and opinion, against the will of the said King, and to deprive the King of his rule and government, and to separate and remove all the Dukes, Earls, Barons, and other Magnates of England from the favour and council of the King, and to subjugate the Dukes, Earls, Barons, and other Magnates of England and the kingdom thereof to the governance and rule of the said Sir Richard and others of his affinity and opinion, against the will and liberty of the said King, and against his Crown and dignity, and Royalty; and that if he, the said Sir Richard, could not fulfil his wish and intention, then the said Sir Richard, with the others of his kindred and opinion, proposed and intended to destroy the King by force and violence.

75.

[The Portuguese expedition, May, 1511. *Chronicle of Calais*, p. 7.]

In the 2. yere of Henry the Eighth, the lorde Da[r]cie went out of England by the kyng's apoyntment into Portingall, with 1500 men of warre, and landyd at Skalis

malis,¹ but he gate litle worshiþe therè, and therefore dyvars of his men lefte hym there, and went othar wayes into other contries, and some came home ragged and torne.

76.

[Treaty with Ferdinand, 17 November, 1511. *Cal. State Papers, Spain*, ii. 59.]

When King Ferdinand the Catholic and King Henry of England were preparing a great expedition against the Infidels, they received news that Louis, King of France, was besieging the Holy Father in Bologna. They begged the King of France to desist from his nefarious project of robbing the Church of her property; and the Pope offered him, through the Scotch ambassador, forgiveness of all he had done, if he would only restore to the Holy See the towns which he had wrested from the Pope, and renounce the schismatic council. The Pope promised, further, to convoke a general council, which was to occupy itself with the reformation of the Church.

The King of France rejected all these offers of peace, conquered Bologna, and twice routed the Papal army.

His Highness again sent a legate to the King of France; and King Ferdinand and King Henry asked him, through their ambassadors, to desist from all further persecutions of the Church. All was in vain.

King Ferdinand the Catholic, in his name and in the name of his daughter, Queen Juana of Castile, on the one part, and the King of England, on the other part, conclude, therefore, the following treaty:—

1. The contracting parties bind themselves to defend the Church against all aggressors, without any exception.

¹ Cadiz.

2. King Ferdinand the Catholic binds himself to succour Pope Julius II. in Italy.

3. As it would be difficult for the King of England to send an army to Italy, he promises to succour the Church by making war upon France from another side. Both contracting parties, therefore, bind themselves to attack France on the frontiers of their states, and especially in Aquitaine, which province belongs by right to the King of England. As soon as King Ferdinand begins war with France, the King of England promises also to declare war with France, and to commence hostilities. He binds himself to send, before or on the last day of April, an army of 6,000 men to Aquitaine, or into the neighbourhood of Aquitaine, provided with all the necessary engines of war. This army is to be employed in the conquest of Aquitaine for the crown of England; and the King of England is not at liberty to recall his army or to conclude a treaty of peace or abstinence from war with the King of France, except with the knowledge and express consent of King Ferdinand.

4. King Ferdinand the Catholic binds himself, before or on the last day of April, to send to Aquitaine, or into the neighbourhood of Aquitaine, 500 heavy horse, 1,500 light horse, and 4,000 foot, provided with all the necessary engines of war.

Both armies are to carry on a common war with France, and to defend the Church by conquering Aquitaine for the King of England.

The Catholic King binds himself not to recall his army from Aquitaine, or to make peace or to conclude a truce with the King of France, except with the knowledge and express consent of the King of England.

[The expedition to Spain, June, 1512. *Chronicle of Calais*, p. 8.]

The 4. of Henry the Eighth, the 2. of June, the lorde marques Dorset, as chefe capitayne, and the lords John, Edward, and Leonard his britherne, with the lorde Howard, the lorde Brooke, the lorde Ferreyrs, the lorde Willowby, with vij. knights and xi. esquiers, with divars gentlemen and vij C. men of warre, departed out of England from Sowthampton, with a great navy of shipps to set that company aland in Spayne, for to helpe the kynge of Spayne agaynste the Frenche kynge; and ser Edward Howard was lord admyrall of the kyng's flete, for to kepe the se before theyr syttynge forwarde; but thes lords made but a smal jorney there at that season.

[The Holy League, 5 April, 1513. *Cal. State Papers, Spain*, ii. 97.]

1. All the former treaties between the contracting parties remain in full force.

2. Peace and friendship are to be observed by the contracting parties and their subjects towards one another.

The contracting princes bind themselves to defend the Holy Church and their own possessions, that is to say, those which they at present possess, as well as those which they hereafter may acquire, against the attacks of Louis, "King of the French," and his successors. The treaties which King Ferdinand the Catholic has concluded with France are, however, to remain in force. . . .

3. The Pope is to invade Provence and the Dauphinate, or any other French territories out of Italy.

The Emperor is to attack France in any territory not belonging to Italy which he may choose.

The King of England is to attack France in Aquitaine, Picardy, and Normandy.

King Ferdinand the Catholic is to attack France in Bearn, Languedoc, and Aquitaine. . . .

6. The Pope binds himself to excommunicate all the enemies of this league.

7. The King of England binds himself to pay the Emperor elect 100,000 gold crowns, viz. :—

35,000 gold crowns, payable in Gravelingen within one month after the Emperor has declared war with France;

35,000 gold crowns, payable as soon as the Emperor really begins hostilities;

30,000 gold crowns within three months after the Emperor has begun war.

79.

[Ferdinand's excuses for his truce with France. Letter from Ferdinand to his envoy in England, 18 June ?, 1513. *Cal. State Papers, Spain*, ii. 118.]

He is to speak to the King of England as follows:—

Has concluded a truce with the King of France. The reasons which induced him to do so are contained in the answer he gave to the Doctor¹ and to John Stile in the convent of Mejorada. Two considerations, however, had more weight with him than all his other motives. The first and most important of them was, that he was in immediate danger of death. Men of tender consciences pressed upon him that he should, for God's sake, conclude

¹ Probably William Knight.

the truce before he died. Gave the power to sign the truce, since all good Christians are in the habit of reconciling themselves with their enemies when they are dying. His other reason for concluding the truce with France was that the King of England had not formally bound himself to send the assistance which he had promised in the first treaty; and not even the smaller succour which had been agreed upon in the second treaty had been given, although it was to be employed in the enterprise of Guienne which was to be undertaken in the sole interest of the King of England himself. Even now, the King of England neither sends, nor even offers to send, money or soldiers for the conquest of Guienne. . . .

Another consideration which induced him to conclude the truce with France was that Pope Julius had left the whole of Italy in utter disorder when he died, and that the Emperor had informed him of his purpose never to make peace with the Venetians. The Emperor wanted to destroy them. Knew that the Venetians had entered into negotiations about a treaty of alliance with France. . . .

The object of this league is to subject and conquer Italy. The Venetians concluded it without any respect to the league which they had already concluded with him (King Ferdinand) and the King of England. They behaved with ingratitude towards him.

[Henry's French expedition, June, 1513. *Chronicle of Calais*, p. 12.]

The last day of June kynge Henry landyd at Caleys; with hym landed the bysshope of Wynchestar lord preve seale, the byshope of Durham, the earle of Essex, the vicount Lile, the lorde Willowbye, the lord Broke, the

lord Fitzwaren, and the lord of Burgenye, ser Edward Poynnyngs, ser Henry Marney, ser William Sydney, ser John Foskew, ser Edward Cobham, ser Adrian Wyndsore tresurar of the warris of the kyng's oste, ser William Vaumpage, ser Griffithe Doon, ser Antony Outtred, with many othar knights, esquiers, and othar.

81.

[The French campaign, July-August, 1513. *Ibid.*, p. 13.]

The xxj of July the kynge departed from Caleys, forwarde, and he lay the first nyght betwixt Calkewell and Freydon, the next night before the castle of Gwisnes at Bocarde; the next night he lay besyde Arde a good way without the Englyshe pale, and when he was a lytle beyond Dornom̃e there came a great oste of Frenchemen that wer purposed to have set upon hym to have taken or slayn hym, but the kynge with his ost kept theyr grownd, and shot theyr greate ordinance, and barke the array of the Frenche men. In this busynes there was a greate gonne of brasse callyd one of the xij Apostles, with dyvars othar ordinaunce that cam not redelye aftar the kynge, where of the Frenche men heringe cam and kyllyd many cartars and laborars. . . .

The xvi of Awgust, there came a greate oste of Frenche men to dryve kynge Henry from the sige of Turwyne, but the kynge met with them a litle besyde Terwyne, and kylled many of them, put the othar to flight, and toke many great men prisoners, as the prince of Naverne, the duke of Longevile, mounsire Clermondé amerall of Fraunce. . . .

The xxiiij. day of Awguste the towne of Terwen was gyven ovar unto the kynge of England, with condition that all the

men of were that kept the towne shuld safely passe with horse and harnyes, but nothings els; and so on the xxiiij. day of Awgust there came out of the towne iiij M^l men of warre and more, well apoynted, whereof about vi C. were well horsed; ther standards were borne before them.

82.

[The Battle of Flodden. Letter from Thomas Ruthall, Bishop of Durham to Wolsey. *Facsimiles of National MSS.*, Pt. ii. No. iv.]

After righte herty recommendacions to reherse unto you the greate sorow and pensivenes that I have had and taken for the mysfortune of my castelle of Norham, whiche by the cruell tyranny of the King of Scotos was lately taken, and a greate parte thereof rased and cast doune. . . . But I thanke our Lorde God and my patrone Seint Cuthbert, who never suffered anny injurye, dispecte or displeasure doon to his churche to passe onpunysshed, that greate tyrranows and cruelle dede is well requyted and revenged. For on the 9th daie of this instant monethe of Septembere after a mervelouse greate conflicte and terrible bataille the King of Scotos with the greatest parte of the lordes and nobles of his reame wer in playn bataille venquyshed, overthrowen and slayne. At whiche bataille my Lorde Tresourere like a noble, valiaunte and puysaunt capitain, by his greate wisdom, hardiesse and experience, with the assistance, goode conduyt and actyvenesse of his sonne the Lorde Haworde, Admiralle of Englande, so acquitted hym self that for this moste famouse acte redounding to the inestimable honour, comforte, commoditie and suertie of the Kinges Grace, this his reame and subjectes of the same, they deserved asmoche lawde, renomme and thankefull remembraunce as ever anny noble men did. Specially

remembring the multitude of their enmyes, being ferre in nombre above the Kinges armye, conscidering also the grete nombre of marvelous large peces of ordynaunce as courtauldys, culverins, sacres and serpentyns amounting in the hoole to 17 greate peces, besides moche other smale ordynaunce. Regarding also the grete and strong personages of the Scotcs being aswelle fournesched with goodely harneys, wepons and other abilimentes of werre as ever men were, with their abundaunce of vitails, wyne of all sortes, brede, bere and ale, tentes and pavylions ferre above our estimacion and not lightly credible ooneles it had bene seen, tasted and vewed by our folkes to their grete refreshing, and over that the hardinesse and sharp setting on of the said Scotcs with the discomfort and feblenes of our people being destitute of vitails and having no thing to drinke but oonely watere by the space of thre daies and moche scacitie of that, with the marvelous grete payn and laboure that they toke in going 8 myles that daye on fote by daungerouse and paynfulle passages over hilles and dales and yet, moste daunger of all, in ascending and clymyng an highe and stipe hille to encountre and geve bataill to the said King of Scotcs being there campyd and his ordynaunce set to his moste advauntage and annoysaunce of our armye. And the said Scotcs having the hill, the wynde and the sunne with thaym ayeinst our folkes, all whiche impedimentes, daungers and perells well consyderde, it is to be thought this victorie procedethe more by the veray hande of God . . . thenne by anny strenghte or power of menne, how be it after so grete payn and labour there lakked no goode courage, strenghte and herte in our folkes as it well appered by their actes.

For besides the King of Scotcs all the lordes of Scotlande, excepte fyve, and the moste parte of the noble men of the

same which that day dyed, there were 10 thousande Scotese slane, and as summe of thaym afferme they lacke 15 thousande in the hoole to the utter confusion of all Scotlande.

83.

[A fresh treaty between Henry, Ferdinand, and Maximilian, 17 October, 1513. *Cal. State Papers, Spain*, ii. 138.]

Louis, "King of the French," rebelled against the Church, and took up arms against the Vicar of Christ. He was the author of the schism in the Church. The Emperor elect, King Ferdinand the Catholic, and "the King of France and England" concluded, therefore, an alliance, the object of which was to defend the Church and to extinguish the schism. God has favoured that just cause; but as the allied princes have not yet entirely executed their work, they have concluded the following articles:—

1. None of the contracting parties is at liberty to conclude or renew a truce with the King of France.

2. King Ferdinand the Catholic binds himself to invade the Duchy of Guienne on or before the 1st day of June next, with an army of 15,000 foot, 1,500 light horse, and 1,500 heavy cavalry.

3. The "King of France and England" binds himself to pay King Ferdinand the expenses of his troops employed in the conquest of Guienne. The expenses are estimated at 20,000 gold crowns a month.

4. The Emperor elect and the "King of France and England" bind themselves to begin war in Normandy and Picardy, or wherever they can cause the greatest losses to the French. The war is to commence on or before the 1st of June next. Each of the armies is to be strong enough

to resist an attack of the French troops, to besiege and to defend fortified places, &c.

5. King Ferdinand and the "King of France and England" bind themselves to keep, each of them, a strong fleet at sea during the six months which follow the 1st of April next ensuing, or as long as the war lasts.

6. The "King of France and England" promises to give the captain-general who is to command the troops in Guienne a commission empowering him to take the conquered territories, castles, cities, &c., in possession, in the name of the "King of France and England."

7. None of the contracting parties is at liberty to conclude a separate treaty of peace with the "King of the French."

8. This treaty is to be ratified by the contracting princes within five months.

9. All the former treaties between the contracting parties remain in full force in so far as they are not altered by this treaty.

10. The Pope, the Duke of Milan, and the Florentines are included in this treaty.

84.

[Ferdinand's double dealing. (a) Letter from Ferdinand to his ambassador in France. End of March? 1514. *Ibid.*, ii. 167.]

The King of England may be told that one of the reasons why it is necessary to conclude a truce with France is that he (King Ferdinand), and the Emperor have discovered a treacherous conspiracy of the Italians to turn them out of Italy. To prevent this, it was necessary to make peace with France. Has, moreover, prevailed on the

King of France to use his influence with the Scots to settle the government of Scotland in the way the King of England desires, and to have peace between England and the Scots arranged entirely to the satisfaction of King Henry. Besides, the King of France has promised to pay the King of England the same sums of money as he has been in the habit of paying him.

[(b) Letter from Lorenzo Pasqualigo, merchant in London to his brothers, 11 April, 1514. *Cal. State Papers, Venice*, ii. 401.]

The King of Spain had again made truce with France, and betrayed England for the second time. Were the Catholic King a good Christian, he would not act thus; but his turn will come some day, and may God grant this.

85.

[Report of Andrea Badoer to the State, 16 September, 1514. *Ibid.*, ii. 503.]

Arrival in London of an ambassador from the Emperor, who demanded audience of the King, and permission to make whatever statement he pleased; which being granted, he said on behalf of the Emperor, that the King of England had done wrong to break the promise given to his grandson, the Archduke of Burgundy, by marrying the Lady Mary to the King of France, the Emperor's enemy, and that his deserts entitled him to other treatment. To this the King replied, that it was not he who had failed in his faith, but the Emperor, to whom he had disbursed so many thousands of ducats for the raising of troops and the prosecution of the war against France, but that the Emperor took no heed for the observance of his promise, and did nothing at all. The King added other words,

blaming the Emperor vastly, so that the ambassador took leave and departed.

The Spanish ambassador, perceiving the celebration of the marriage, and the small account in which his King was held, absented himself from the Court, and quitted London.

The Queen of France was to depart on the — September, the ships for her passage across to Boulogne being in readiness; and she was to be accompanied by 80 English women and five men of consequence, so that she would go with great pomp and triumph. The King in person, on board the galley bearing his name [*Henri Grace de Dieu*?], would accompany her for 10 miles out to sea.

86.

[Letter from Nicolò di Favri to Francesco Gradenigo, 24 September, 1514. *Ibid.*, ii. 505.]

Had the King of Spain kept his promise to the King of England, the latter would never have made peace with France; and the promises of the Emperor were equally false, for he had received many thousands of pounds from King Henry, on condition that he was to be in person at Calais in the month of May, with a considerable force in the King's pay; but the Emperor pocketed the money, and never came. His failure was the cause of all that took place, for as King Henry was deceived in every direction, he thought fit therefore to take this other course.

87.

[French Pensions, 1 December, 1514. *Cal. State Papers, Spain*, ii. 194.]

The King of France has given orders to pay Thomas, Archbishop of York and Primate of England, a pension of

1,000 écus d'or a year, for services rendered to him on occasion of the conclusion of the late treaty of peace between the King of France and the King of England. The sum of 875 livres Tournois has been paid on account to the Archbishop of York, who has acknowledged the payment in his receipt dated the 1st of December, 1514.

88.

[Parliament met on 5 February, 1515. On 10 February, the reasons for the calling of parliament were given. *Lords Journal*, i. 21b (Latin).]

On this day the Lord Chancellor, the Archbishop of York, the Bishop of Winchester, the Bishop of Durham, the Duke of Norfolk, Treasurer, the Earl of Surrey, the Earl of Worcester with other Lords went down to the Common House, where the Lord Chancellor declared the reasons for the summoning of parliament and especially dealt with the sums of money granted to his royal Majesty in the previous parliament, and not yet fully paid, and how they should be paid: and concerning the raising of these sums, not from the needy and poor but from the rich and those willing to pay. He also added how on many occasions the Scots had done wrongs and injuries to the subjects of the lord King daily by land and sea, and that his royal Majesty, provoked wounded and irritated by these injuries, had decided upon war against the Scots. All these things considered, the Lord Chancellor exhorted the Commons of the kingdom that they should diligently take into consideration the expenses and very great needs of the King.

89.

[The death of Louis XII. on 1 January, 1515, dissolved the French marriage almost as soon as it had been made. Mary contracted a secret marriage with Charles, Duke of Suffolk. This aroused great resentment in England and it was not until 13 May that Henry allowed the public ceremony to be carried out in London. *Cal. State Papers, Venice*, ii. 618.]

On the 13th instant the espousals . . . of Queen Mary to the Duke of Suffolk at length took place; there were no public demonstrations, because the kingdom did not approve of the marriage. Wishing to ascertain whether this marriage had been concluded with the King's consent, were assured by great personages that it had first been arranged between the bride and bridegroom, after which they asked the consent of King Henry, who, however, had maintained his former friendship for the Duke, which would appear incredible, but is affirmed by the nobility at the Court.

90.

[Cardinal Wolsey, 1515. *Kingsford, Chronicles of London*, p. 263.]

Item this yere was brought to London the Cardynalles hatte for the Cardynall of York, the wich rially receyved by the Duke of Suffolk w^t dyuers other grett astates, the Meire and his brethern, w^t all the craftes in their lyueres.

This yere was grett ponyshement of puriurye by the seid Cardynall, beyng in gret auctorite vnder the kynge: for he was chaunceler of England made the [24th]¹ day of [Dec.]¹ in the vijth yere, for because the archbishop of Canterbury was aged, and desired to take his yeese in his diosies.

¹ Blank in MS.

[Evil May Day, 1517. Giustinian, *Despatches*, ii. p. 70. A fuller account will be found below, p. 242.]

The fact was, that on the night preceding the first of May, the London apprentices, who are articed servants of English merchants and artizans, with a number of bandits (*sic*), amounting in all to 2,000, rose, and went to divers parts of the city inhabited by French and Flemish artificers and mechanics, whose houses they sacked, and wounded many of them, though it is not understood that any were killed. They next proceeded to the dwelling of his Majesty's French secretary, which they sacked, doing very great damage there, and had he himself not escaped up the belfry of the adjoining church, they would have cut him to pieces; they also sacked a number of houses of French artificers in the neighbourhood of his residence. They next went to the houses of the Florentine, and Lucchese, and Genoese merchants, whom they insulted; but, as said dwellings were well supplied with men and arms and artillery, they could not do them any harm. Against the houses of the Venetians, on the contrary, no demonstration was made. . . .

Much greater mischief and bloodshed would have taken place, had precautionary measures not been adopted beforehand, I believe by the right reverend Cardinal, who was forewarned.

[Letter from Sir Thomas More to Erasmus, 19 August, 1517. Nichols, *Epistles of Erasmus*, iii. p. 2.]

We are in greater distress and danger than ever; deaths are frequent all around us, almost everybody at Oxford, at

Cambridge, and here in London, having been laid up within the last few days, and very many of our best and most honoured friends being lost. Among these,—I am distressed to think how it will distress you,—has been our friend Andrew Ammonius, in whom both good letters and all good men have suffered a grievous loss. He thought himself protected against contagion by his temperate habit of life, and attributed it to this, that, whereas he scarcely met with any person, whose whole family had not been sick, the malady had not attacked any one of his. This boast he made to me and others not many hours before his death. For in this Sweating Sickness, as they call it, no one dies but on the first day. I, with my wife and children, am as yet untouched; the rest of my family have recovered. I can assure you, that there is less danger upon a field of battle, than in this town. It is now, I hear, beginning to rage at Calais, when we are being forced thither ourselves, to undertake a diplomatic mission,—as if it were not enough to have been living in contagion here without following it elsewhere. But what is one to do? What our lot brings us must be borne; and I have composed my mind for every event. Farewell.

93.

[The following letter from Pace to Wolsey illustrates the relationship between the King and the Cardinal at this period, 6 April, 1518. P.R.O. State Papers, Domestic, vol. 16. f. 214. (*Lett. and Pap.*, ii. 4060.)]

Pleas itt your grace the Kyngis highnesse hath commaundydde me to certifie your grace, that thys daye he hath callydde all hys counsayle unto hym and schewydde unto the same that both hys highnesse and the qweans grace hath ben credibly informydde that hys graces citie

off London is sumwhat infectydde wyth the greate syknesse and thoghe the sayde infection be not grete but droppynge here and there, yitt hys grace doith thynke itt ryght necessarie, that for the save garde off hys person (wherapon the welth off thys realme doith depende) he schulde eschewe the same. And hys grace doith thynke that suche infection is kepte frome your graces knowliege, as itt was frome hys, at hys beyng there, oftyen tymes because no man durst certifie hys grace theroff so that where hys hyghnesse is verraye desyrose in hys mynde, to repaire towardis London he is compellyd bi necessitie to remayne in thiese parties at suche places as be comprisyd in a byll herinclosydde, for avoydynge off the sayde syknesse, thoghe itt schalbe to hys graces payne: consyderynge the scarsnesse off the cuntreie here: And where as hys grace at hys departynge thense, dydde depute certayne off hys counsaile to attende apon your grace duryng the tyme off the terme folowynge, hys graces pleasor is, that yff your grace schall thynke that numbere not to be sufficient, to advertise hys hyghnesse theroff, showynge your opinion therin and hys grace wull accomplysche the same. And assone as the sayde terme schalbe fynyschydde, hys highnesse doith yeve unto your grace counsaile to avoyde London and other to repaire to sum other your place or els towardis hys parson, advertisynge your grace that ye schallbe most hartly welcum unto hys highnesse. In the mean tyme hys graces pleasor is, that horsis be set betwyxte hys highnesse and your grace in suche numbere that he maye have tydynges frome your grace in every vijth houre and be advertisydde of all occurrences as well wythin hys graces realme as wythowte the same as theye schall cum unto your graces knowliege.

94.

[The treaty of universal peace, 2 October, 1518. *Lett. and Pap.*, ii. 4469.]

1. Peace is declared between the confederated Kings.
2. Mutual aid in case of invasion is guaranteed by land, (3) [and by sea].
4. Power of passing through the confederates' territory is guaranteed.
5. No confederate to allow his subjects to serve any one confederate against any other.
6. No confederate to afford protection to the vassal of any other without consent of that other.
7. No confederate to do or allow to be done anything to the injury of any other, or of his heirs or successors, or of his or their possessions.
8. No confederate to receive any rebels against another.
9. The undermentioned to be comprehended: Spain, Scotland, Denmark, Hungary and Portugal, Margaret Archduchess of Austria, Ferdinand brother of the King of Spain, Venice, the Duke of Urbino, the Dukes of Cleves and Juliers, the house of the Medici, the Florentines, the Duke of Ferrara. . . .
10. The Pope to accept the league, and name his confederates within four months after notice given.

95.

[Letter from Sebastian Giustinian to the Signory, 5 October, 1518. Giustinian, *Despatches*, ii. p. 224. Summary in *Cal. State Papers, Venice*, ii. 1085.]

By my letters of the 1st instant, your Highness will have heard that on the 3rd the general peace was to be proclaimed in St. Paul's church. On that day, accordingly,

his Majesty was accompanied thither by the two right reverend Legates, and all the ambassadors and the lords and prelates of the kingdom, when a solemn mass was celebrated by the Cardinal of York, with so many pontifical ceremonies, and of such unusual splendour, as to defy exaggeration.

After the recital of a very elegant and grave oration on the peace by the chief Secretary, the reverend Dom. Richard Pace, his Majesty, and the Cardinal of York, together with the French ambassadors, proceeded to the high altar, where the articles of the peace were read and sworn to by both parties, but in a tone audible only to themselves, which is tantamount to their having cancelled the words of the preamble concerning the expedition against the Turks. . . .

These ceremonies being ended, his Majesty and the rest of the party went to dine in the palace of the Bishop of London, the King returning afterwards to Durham House in the Strand, accompanied by all the aforesaid. From thence, the Cardinal of York was followed by the entire company to his own dwelling, where we sat down to a most sumptuous supper, the like of which, I fancy, was never given either by Cleopatra or Caligula; the whole banqueting hall being so decorated with huge vases of gold and silver, that I fancied myself in the tower of Chosroes, where that monarch caused divine honours to be paid him.

[A character sketch of Henry VIII. Report by Giustinian, 10 October, 1519. Giustinian, *Despatches*, ii. p. 312. Summarised, *Cal. State Papers, Venice*, ii. 1287.]

And first of all, his Majesty [Henry] is twenty-nine years old, and extremely handsome; nature could not have done

more for him ; he is much handsomer than any other sovereign in Christendom, a great deal handsomer than the King of France ; very fair, and his whole frame admirably proportioned. On hearing that Francis I. wore a beard, he allowed his own to grow, and as it is reddish, he has now got a beard which looks like gold. He is very accomplished ; a good musician ; composes well ; is a most capital horseman ; a fine jousting ; speaks good French, Latin, and Spanish ; is very religious ; hears three masses daily when he hunts, and sometimes five on other days : he hears the *office* every day in the Queen's chamber, that is to say vespers and compline. He is very fond indeed of hunting, and never takes this diversion without tiring eight or ten horses, which he causes to be stationed beforehand along the line of country he may mean to take, and when one is tired, he mounts another, and before he gets home they are all exhausted. He is extremely fond of tennis, at which game it is the prettiest thing in the world to see him play, his fair skin glowing through a shirt of the finest testure.

He gambled with the French hostages to the amount occasionally, it is said, of from six to eight thousand ducats in a day.

He is affable, gracious ; harms no one ; does not covet his neighbour's goods, and is satisfied with his own dominions, having often said to the ambassador, " Domine Orator, we want all potentates to content themselves with their own territories : we are satisfied with this island of ours."

He seems extremely desirous of peace.

He is very rich indeed ; according to report, his father left him ten millions of ready money in gold, of which he is supposed to have spent one-half in the war against

France when he took Tournai; and he certainly expended a considerable sum at that period, for he had three armies on foot; one crossed the channel with him; another was in the field against Scotland; and the third remained with the Queen as a reserve, in case the other two encountered any disaster.

97.

[A sketch of Wolsey by the same writer. Giustinian, *Despatches*, ii. p. 314.]

In a work composed by the ambassador, this prelate has been styled Orion.

He is of low origin: he has two brothers, one of whom holds an untitled benefice, and the other is pushing his fortune.

This Cardinal is the person who rules both the King and the entire kingdom. On the ambassador's first arrival in England he used to say to him, "*His Majesty will do so and so*": subsequently, by degrees, he went forgetting himself, and commenced saying, "*We shall do so and so*": at this present he has reached such a pitch that he says, "*I shall do so and so*."

He is about forty-six years old, very handsome, learned, extremely eloquent, of vast ability, and indefatigable. He, alone, transacts the same business as that which occupies all the magistracies, offices, and councils of Venice, both civil and criminal; and all state affairs, likewise are managed by him, let their nature be what it may.¹

He is pensive, and has the reputation of being extremely

¹ *Cp. Cal. State Papers, Venice*, ii. 894 (28 May, 1517): "The Cardinal does everything. The King occupies himself with nothing but scientific amusements. All negotiations pass through the Cardinal, who manages everything with consummate authority, integrity, and prudence. The King pays the Cardinal such respect that he speaks only through his mouth."

just: he favours the people exceedingly, and especially the poor; hearing their suits, and seeking to despatch them instantly: he also makes the lawyers plead gratis for all paupers.

He is in very great repute—seven times more so than if he were Pope. He has a very fine palace, where one traverses eight rooms before reaching his audience chamber, and they are all hung with tapestry, which is changed once a week. He always has a sideboard of plate worth 25,000 ducats, wherever he may be; and his silver is estimated at 150,000 ducats. In his own chamber there is always a cupboard with vessels to the amount of 30,000 ducats, this being customary with the English nobility.

He is supposed to be very rich indeed, in money, plate, and household stuff.

The archbishopric of York yields him about 14,000 ducats; the bishopric of Bath 8,000. One-third of the fees derived from the great seal are his; the other two are divided between the King and the Chancellor. The Cardinal's share amounts to about 5,000 ducats. By the new year's gifts, which he receives in like manner as the King, he makes some 15,000 ducats.

98.

[Wolsey's household. Cavendish, *Life of Wolsey* (ed. Kelmscott Press, 1893), p. 26.]

All this number of persons ware daylye attendaunt vppon hyme in hys howsse, down lyeng and uppe risyng. And at meales, there was contynually in his chamber a bord kept for his chamberlayns and gentilmen usshers, havyng with theme a messe of the yong lords, and an other for gentilmen. Besides all this, there was never an

officer and gentilman, or any other worthye person in his howsse, but he was allowed some iii, some ii servaunts; and all other oon at the least, which amounted to a great number of persons. . . . Therefore here I make an end of his howssholde, wherof the number ware abought the somme of fyve hundred persons, accordyng to his chekker rolle.

99.

[Letter from Giustinian to the Signory, 27 April, 1520. *Cal. State Papers, Venice*, iii. 40.]

The King of England had written to King Francis to delay the interview until July. When the English Ambassador [Sir Richard Wingfield] spoke to the King, his Majesty became very wrath, saying, "He wants to delay that he may speak first to the Catholic King; but were it so I would never speak to him." Letters having consequently been written to England, King Henry would attend the conference on the 1st of June, because King Francis wrote to him that otherwise he should cross over to England, as the Queen of France, who wished to be present . . . could not come were the interview delayed.

100.

[The Emperor Charles and Henry, May, 1520. *Chronicle of Calais*, p. 28.]

The xxvj. of May, the kynge of Romainys, of Spayne, and of Castle, landyd in England at Dovar. Henry the Eighth came rydyng from Canterbury to Dovar the same night; and the next day bothe kyngs rode to Canterbury agayne; and from thence to Sandwytyche, and then the kynge of the Romainys toke shype agayne at the Dele.

101.

[The Field of Cloth of Gold. *Ibid.*, p. 28.]

The last day of Maye, the kyng and qwene of England landyd at Caley, with many great estats as are before named.

The v. of June, they departyd and rod to Gwisnes to mete with the Frenche kyng and qwene.

The vij. of June, the kyngs of England and France mete at the campe betwixt Gwisnes and Arde, with bothe theyr swerds drawne and borne before them.

The x. of June, the kyng of England dyned with the Frenche qwene in the towne of Arde, and the Frenche kyng dyned the same day with the qwene of England in the new palace made before the castle of Gwysnes; the whole was a costly howse of riches as evar was sene, and so thes ij. kings met every day aftar at campe with dyvars lords, and ther justed and turneyed xiiij. days; and the ij. qwenes met at Gwysnes and at Arde dyvars tymes.

The xxiiij. of June, these kyngs and qwenes, with ther retinues, met at campe, wher the justes were kepte, and ther they banqweted and daunsed, with momynge and dysgysynge tyll it was late in the eveninge, and then toke theyr leave and departyd.

102.

[Description of the meeting of the English and French kings at the Field of Cloth of Gold. Hall, *Chronicle*, p. 609. For another account, *vide Cal. State Papers, Venice*, iii. 50.]

Then the kyng of Englande shewed hymself somedele forwarde in beautie and personage, the moste goodliest Prince that euer reigned ouer the Realme of Englande: his grace was apparelled in a garment of Clothe of Siluer,

of Damaske, ribbed with Clothe of Golde, so thicke as might bee, the garment was large, and plited verie thicke, and canteled of verie good intaile, of suche shape and makynge, that it was marueilous to beholde. The Courser whiche his grace roade on, was Trapped in a marueilous vesture of a newe deuised fashion, the Trapper was of fine Golde in Bullion, curiously wroughte, pounced and sette with anticke woorke of Romaine Figures. Attendyng on the kynges grace of Englande, was the Master of his horse, by name Sir Henry Guylford, leadyng the kynges spare horse, the which horse was Trapped in a Mantellet bront and backe place, all of fine gold in Scifers, of deuice with Tasselles on Cordelles pendaunt, the Sadell was of the same sute and woorke so was the hedde stall and raynes. After folowed nine henxce menne, ridyng on Coursers of Naples, the same young Gentlemen were appareled in riche Clothe of Tissue, the Coursers in Harneis of marueilous fashion, scaled in fine golde in Bullion, and workes subtile more then my sighte could contriue, and all the same horse Harneis were sette full of tremblyng spanges that were large and faire. The lorde Marques Dorset bare the kynges sweard of estate before the kynges grace, the reuerent father Lorde Cardinall did his attendaunce.

Thus in litle tyme, abidyng the commyng of the Frenche kyng and his, the which in shorte tyme came with greате number of horsemenne, freshely appareled, the Frenche Kyng and his retayne, put themselves in place appoynted, direct against the Englishe partie, beholdyng euery other of bothe nacions, the Frenche menne mused muche of the battail of the foote menne, and euery of the Frenche men to other spake of the multitude of the Englishe men whiche semed greате, yet were not they so many as the Frenche partie.

When the Frenche kyng had a litle beholden the Englishe men, he put hymself somewhat before his people, that were there on him attendaunt, the Duke of Burbon bearyng a naked Swearde vpright, the Lorde Admirall of Fraunce, and the Countie Cosman Galias, Master of the Frenche kynges horse, and no mo persones gaue their attendance in passyng with the Frenche kyng: when it was perceiued that the French kynges swearde was borne naked, then the kyng of England commaunded the lorde Marques Dorset to drawe out the swearde of estate, and beare it vp naked in presence, whiche was so doen.

Then vp blewe the Trumpettes, Sagbuttes, Clarions, and all other Minstrelles on bothe sides, and the kynges descended doune towarde the bottome of the valey of Andern, in sight of bothe the nacions and on horsebacke met and embrased the twoo kynges eache other: then the two kinges alighted, and after embrased with benyng and curteous maner eche to other, with swete and goodly wordes of gretyng: and after fewe woordes, these two noble kynges went together into the riche tente of clothe of golde, that there was set on the grounde for such purpose, thus arme in arme went the Frenche kyng Fraunces the firste of Fraunce, and Henry the eight kyng of Englande and of Fraunce, together passyng with comunicacion.

103.

[Second interview with the Emperor, July 1520. *Chronicle of Calais*, p. 28.]

The iiij. of July, ther cam a greate embassad from the kyng of Romayne, Spayne, and Castle, to the towne of Caleis to owr kyng.

The x. of July, the kynge rod to Gravelen, and there mete withe Charles the kynge of Romaines, Spaigne, and of Castle aforenamed, that was then to be emperowre of Almayne; and on the next day the kyng of England, and the said kynge of Romaines, &c. and lady Margaret duches of Savoy, aunt to the seyde kynge of Romaines, and dawghter to Maximilian late emperowr, whome the Frenche kynge shewlde have married afore he married the duches of Britayne; with them cam a cardinall and many great lords and ladyes. . . .

The xiiij. of July the kynge of Romaines departyd from Calleys towards Gravelen.

The xvij. of July the kynge of England departyd from Calléys and arrived at Dover.

104.

[The case of the Duke of Buckingham, May, 1521. (a) Trial and Conviction, 13 May, 1521. *3rd Report, Deputy-Keeper of the Public Records*, App. ii. 232.]

And, moreover, the Duke, rejoicing and exulting in his treasonable acts and imaginations, did, 10th May, 12 Hen. 8, being at London, in a certain place called the Red Rose, in the parish of St. Lawrence Poultney, in the ward of Candlewick-street, publicly, falsely, and treasonably ask of Charles Knyvet,—what were the conversations of London, and what was said about the King's voyage beyond seas,—and Knyvet said to the Duke that many people were afraid of the journey, for that the French intend deception and treason against the King; and the Duke then and there falsely and treasonably said,—“It is likely that it may come to pass according to the words of the holy Monk, for there is a certain holy Monk . . . who hath divers times sent to

me that I should send him my Chancellor, and I sent him John Delacourt; . . . and the Monk told Delacourt that he had knowledge by the power of God, that neither the King nor his heirs should prosper, and that I, the Duke, should strengthen myself to the utmost of my power to obtain the love of the community of England, for that I, the Duke, and my blood, should prosper, and that we should have the government of the kingdom of England." And then Knyvet said, "that the Monk might be deceived by the devil, and that it was bad to meddle in such things;"—and the Duke said to Knyvet, "that it could not damnify him."—And the Duke then and there falsely rejoiced at the words of the Monk; and the Duke said to Knyvet, "that if it had gone well with the said King when he the King was last sick, he the Duke would have caused my Lord the Cardinal, Sir Thomas Lovel, Knight, and others, to be beheaded;"—and the said Duke said, "that he would rather die than be ordered as he then was."

[(b) *Wriothesley's Chronicle* (Camd. Soc.), i. p. 13.]

This yeaere, on Fridaye before Whitsonday, beinge the 17 day of Maye, Edward Duke of Buckingham was beheaded at Tower Hill.¹

105.

[The conference of Calais, August, 1521. *Chronicle of Calais*, p. 30.]

The 2. of August the 13. of Henry the Eighth, Thomas archbysshope of Yorke, cardinall, landed at Caleis, with the bisshop of Ely, the bishop of Durham, &c. The same day

¹ Pollard, *Henry VIII.*, p. 182, "his crime was not treason, but descent from Edward III."

came to Caleis ambassadors from the emperowr to mete the cardinall and othar lords of England.

The iiij. of August cam to Caleis the highe chaunselar of Fraunce, with mayny othar, with the nombar of 400 horse. These lords of England, Burgoyne, Spayne, Flaundars and Fraunce, with the pope's orator, cam to Calleys to make a pece betwixt the emperowr and the Frenche kynge, but they could not agree, for the emperowr wold have no peace, and the Frenche wold have had peace for a tyme; wherfore on the xij. of Awgust the cardinall of England with the othar lords rod to Bruges to the emperowr, and the Frenche men taried in Caleis tyll they cam bake agayne, with answer from the Emperowr. . . .

The xxvij. of Novembar the cardinall and lords of England departyd toward England.

106.

[Letter from Wolsey to Henry VIII., 28 August, 1521. *State Papers*, vi. p. 85 (No. xxxix).]

Syre, Thes wryttyn with myn owne hand shalbe onely to advertyse Your Grace, what I do perceyve and see in thEmperors owne parson, wych I assure Your Grace, for hys age, ys very wyse, and wel undyrstandyng hys afferys, rygth colde and temperat in speche, with assuryd maner, cowchyng hys wordes rygth wel, and to good purpose, when He dothe speke. And ondowgtydly, by all apparence, He shall prove a very wyse man, gretly inclynynd to trowgth, and observance of hys promyse, determynynd nat onely fastly, holly, and enterly, for evyr from hens forthe, to be joynynd with Your Grace, levyng all other practyse and intellygens apart; but also in all hys afferys to take and folowe your cownsell and advyse, and no thyng to do without the same. And, lyeke as Your Grace hath your

synguler affyance in me, puttyng the burdeyn of your afferys on my shuldres, thowgth I knowleg my sylf fere on-mete for the same, so He ys determynyd to do for hys parte. And hereonto He hath nat onely bowndyn Hym sylf to me aparte, twys or thrys, by hys feyth and trowthe gevyn in my hande; but also He hath to every one of your Prevy Cownsell in most constant wyse declaryd the same, in suche maner and facion as we all may perceyve that the same procedyth of hys harte, without coloure, dissymulation, or ficcion. Wherfor, Syre, Ye have cause to geve thanckes to Almygthy Gode, wych hath gevyn Yow grace so to ordyr and conven your afferys, that Ye be nat onely the ruler of thys your Realme, wych ys in an angle of the worlde; but also by your wysdome and cownsel, Spayne, Italy, Almayne, and thes Lowe Cowntres, wych ys the gretest parte of Crystendame, shalbe rulyd and governyd. And as for Frawnce, thys knot nowe beyng assurydly knyt, shall nat fayle to do as Your Grace shall comawnde. What honoure thys ys to Your Hyghnes, I dowgth nat but that Your Grace of your hye wysdom can rygth wel consydere, gevyng most herty thanckes to Almyghty God for the same accordyngly: besechyng Your Grace moste humbly so to do, wherby thys thyng thus honorably commensyd, shall nat fayle, to your gret exultation, to come to the desyryd ende, to the atteynyng wherof I shal employ my poore parson, wyt, exsperyens, substance, and blode.

107.

[Wolsey and the Papacy. Leo X. died on 1 December, 1521. Hopes had been entertained that Wolsey would succeed to the apostolic see, 27 January, 1522. *Cal. State Papers, Venice*, iii. 396.]

News has arrived of the election of Adrian VI., which Cardinal Wolsey takes amiss, as the Emperor did not aid

him (Wolsey) to obtain the popedom. France and England have been [hitherto] ill disposed towards each other, but now, owing to this election, it is supposed that the King of England will attend to his amusements, by so much the more as the King of France has sent to tell him that he will not interfere with Scotland.

108.

[Visit of the Emperor to England, June, 1522. *Wriothesley's Chronicle*, i. p. 13.]

This yeaere th'Emperoure Charles came into England, and was receaved into the cittie of London the Thursdaye before Whitsunday at afternoone, the Kinge and he ridinge both together in one liverey; and there were diverse pagents made in divers places of the Cittie; and all the freers, priestes, and clerkes, standinge in copes, with crosses, sensures, and candlesticks, from the bridge foote to the crosse in Cheepe; and all the craftes, with the Major and Aldermen, standinge in their liveries; and the King, with all the nobles of the realme, brought him to his pallace at Bridewell, where he continued three dayes, and after went to Greenewich, where was great justs, banquetts, with other goodlye pastymes. And, after, the King conveyed him to the sea side to passe into Spayne, which was his intent.

109.

[War with France, July, 1522. *Chronicle of Calais*, p. 31.]

The 1. of July in the xiiij. of Henry the Eighth, the erle of Surrey lord amyrrall of England, lord Edmond Howard his brother, lord Fitzwater, the baron Curson, with many othar, landyd in Britayne on the west syde of

Morleys, and cam before the sayd towne, wan it, toke what they wold, and set fire on the rest. . . .

The xxx. of August Thomas Howard erle of Surrey lorde admyrall of England, . . . and dyvars othar knyghts, esquiers, gentlemen, and ij C. yemen of the kyngs garde and othar sowldiars to the nombar of xiiij. M. besydes adventurars iij. or iiij C.; all thes departyd from Calleis and went into Picardye, brenynge many townes, castles, and villages . . . tyll they cam to Hedyng, and that towne they brenyd and leyd sege to the castle, but wan it not; from thens they went to the watar of Sum, brennyng and destroyenge, for to seke Frenchemen, but they durst not abyde them; and then our Englyshemen turned homewarde, and brenyd Duras and the castle, from thens they cam to Durlamis, a fayre towne, and brenyd it and the castle, and brenninge and distroyinge homewarde that hild of the Frenche kyng, and they cam homewarde by S. Omers, and so to the towne of Calleis the xiiij. of Octobar in anno 1522. The amyrall and other landyd at Dovar on the xxiiij. of October.

110.

[Letter from Pace at Venice, 21 August, 1522. *Cal. State Papers, Venice*, iii. 528.]

Pace also said that his King has determined to make war on the King of France for eight causes. First, because the King of France seized the kingdom of Navarre and took it from the Emperor, which he was not at liberty to do. Secondly, that he has given assistance to Robert de la Marck against the Emperor, a charge he can not deny, as his letters to that effect have been discovered. Thirdly, that he sent the Duke of Albany into Scotland contrary to

agreements. Fourthly, that through the Duke of Albany he made the Scots wage war on the English. Fifthly, that he (the Duke?) sent to France the brother-in-law of the King of England, the Earl of Angus, married to the King's sister, the widow of Scotland, and caused him to be imprisoned there. . . . Sixthly, that the King of France favours and harbours the rebels of the King of England, including Richard de la Pole, called "White Rose." Seventhly, that the King of France has taken several English ships. Eighthly, that on these accounts the King of England has determined to be revenged on the King of France.

111.

[The parliament of 1523. (a) Cromwell's speech. This lengthy speech may be read in full in Merriman, *Life and Letters of Thomas Cromwell*, I. p. 30. The abstract here printed is taken from *Lett. and Pap.*, iii. 2958.]

The speaker begins by asking who that was present would not give goods and life, if he had ten thousand lives, to recover France for his sovereign, now that this high enterprise was not only conceived by the King, but discussed and concluded with his council, which we have all heard explained, "as well by the mouth and report of my lord Legate's good grace, as by the recapitulation of the right worshipful, best assured and discreet Speaker." We have been informed also of the indentures already passed between the King and the Emperor, containing the number of horse and foot thought sufficient, the day prefixed for the arrival of the army beyond sea, and the promise made by the King, "who is here present," to go over in person. My lord Cardinal has also explained the many injuries done to the King and to his sister, the queen dowager

of France, in withholding her dower and robbing his subjects, by François, now reigning there, and the means proposed to establish a general peace, and stay the said François, if it had been possible. Hopes that this notable beginning will not be all frustrate, "but that some of us here present may say, in this weighty matter, the thing vailable and worthy" to be regarded, which may come to the King's ears by the mouth "of the right wise, discreet and excellently lettered Speaker," which his grace may not utterly reject, before the time come for putting the enterprise in execution, as there is now a whole year thereunto. "And although I reckon myself of all other the most unworthy to have, in the audience of so many sage and notable persons, any manner sayings, especially in this weighty matter," in which the three governors of Christendom are to encounter, sword in hand, "to try where the pleasure of God shall be to strike and show his indignation," yet will I venture to utter my poor mind, in order "to give unto you, which be of far more assured wisdom, learning and experience than I, occasion to utter your wise counsels."

It is no time now to speak of peace. Want of truth is so deeply rooted in the French nation, and their appetite to extend their bounds is so insatiable, that even if we had no quarrel of our own against them, we could not but detest their false dealings with other princes. If not scourged, they will be a scourge to others. They have provoked the Emperor, whose power is so great that, when it is joined with ours, they will be environed on every side. The Emperor has already shown them what he can do, by recovering Navarre, the city of Tournay and the Tournesis, and has driven them quite out of Italy, dispossessing them of the noble duchy of Milan, the getting and defending

of which was so expensive to them and Genoa; and we, for our part, have spoiled and burnt Morkesse, and laid waste a great country, with great honor to the fortunate and sage captain, the earl of Surrey, who remained in the French dominions, with a small number of men, for six or seven weeks, when all the power of France durst not give him battle. I trust the same valiant captain will subdue the Scots, whom the French have so "custously" entertained against us. It may be a question whether to continue the same kind of war as hitherto, or to make it more sharp and violent by sending such a force as utterly to subdue Francis. On this point I wish some sage and experienced person would speak; only one thing "putteth me in no small agony." My lord Cardinal said that the King, who is dearer to any of his subjects than his own life, intends to go over in person; which I wish I may never live to see. "I am sure there is no good Englishman which can be merry the day when he happeneth to think that his grace might perchance be distempered of his health; so that, albeit I say for my part, I stomach, as a sorry subject may do, the high injuries done by the said François unto his most dear sovereign, yet, rather than the thing should go so far forth, I could, for my part, be contented to forget altogether."

The French have established an ordinance among them, that their King shall never go in person, in ranged battle, against our nation, on account of the danger, notwithstanding their marvellous policy for the sure succession of their crown. How needful, then, for us " (considering in what case we be) " to entreat our sovereign, for our sakes and his daughter's, "upon whose weal and circumspect bestowing, next his noble person, dependeth all our wealths," to restrain his high courage; for, if he were to

go, I am sure there would not be one man in the army "but he should be more meet to wail and wring his hands, than assured to fight, when he considered that, if otherwise than well should fortune to that precious jewel, which he had for his party in custody, it were more meeter for him to depart into Turkey, than to return again into his natural country to his wife and children." I think, therefore, if my prince would tarry within his realm, it would be better to advance our war by little and little, so as to weary out the said François, than send over at once the power royal of the kingdom.

"In the reasoning of which matter I shall but utter mine ignorance afore Hannibal, as our right wise speaker rehearsed now of late ;" but having gone thus far, I shall utter my poor mind, if this great army of 30,000 foot and 10,000 horse should be conveyed beyond sea, what way they may most annoy our enemies with the greatest safety, and how they may be victualled. If they could be victualled out of the archdukedom, I doubt not they would return in safety ; for as their enemies did not venture last year to attack the earl of Surrey, they would all the more beware of so great an army ; but by this means the harm they would do to France would not be so great as what we ourselves should sustain in supporting such a force. Before three summers were over, the army would exhaust all the coin and bullion in the realm, which I conjecture cannot much exceed a million ; for if the value of the whole realm exceed not four millions, as my lord Cardinal told us plainly, "of which the possessions were esteemed to amount to one whole million," there can be no doubt that the corn, cattle, commodities and utensils, and apparel for men and women, which was never so sumptuous, and the wares, made not only from our own produce, but

from the parts beyond sea, of which there was never so great abundance, amount at least to other two millions. Thus we should soon be made incapable of helping or hurting anyone, and be compelled, as we once did, to coin leather. This, for my part, I could be content with; but if the King will go over in person, and should happen to fall into the hands of the enemy, which God forbid, how should we be able to redeem him? "If they will nought for their wines but gold, they would think great scorn to take leather for our prince."

And of the inhabitants of the archdukedom, how desirous they are to have much of our money for little of their victuals, we had good experience, when the King last went over, and last year, when my lord of Surrey was sent. But if we must send the army through their possessions, and go direct to Paris, which no doubt may be easily got, as soon as we have left the marches of the archdukedom, we should be on our guard against the Frenchmen's mode of fighting, whose plan is, not to meddle with our army, but lie in wait for stragglers or conductors of victuals. We shall be sure to find no victuals in our way, and might find the danger of leaving strongholds behind us, which the politic prince, Henry VII., avoided; for when he crossed the sea he laid siege to Boulogne before he would enter any further into France; and the present King, when he purposed, as I have been told, to go to Paris, began at Terouenne, "and the Emperor employed whosoever be in Tournay," not thinking it right to pass further, leaving strongholds behind him in the possession of the enemy. What expense it would be, thus to employ our army, the King has had too good experience, in the winning of Terouenne, which cost him more than twenty such ungracious dogholes could be worth. But, if instead

of this, we invaded Normandy, Brittany or some province on the sea, I can see nothing but danger on every side, not only at their arrival among their enemies, but from the difficulty in victualling them while they remain there ; for though we are undoubtedly much diminished in treasure, we have a far greater want of defensible men. If I am asked why I urge these objections, I think the advantages we have had over the French have put them in despair to try it with us any more in ranged battle ; but the French know as well our impatience to continue in war many years, especially in winter, is that our nation is invincible in arms.

I will now show you the advantages former kings have had over us in making war against France. In former times we had always places where we could land in security, either of our own, or of our confederates, in Gascony, Guienne, Brittany or Normandy. The towns and strongholds were of nothing like the strength they are at present. What friends we have now, I dare not venture to speak, and no nation was ever so united as our enemy. While the Emperor was here, occupied with the winning of Tournay, they corrupted three or four of the greatest nobles of Spain, on whom the Emperor was compelled to do justice on his return thither. Even my lord of Chievres, who was most bound to the Emperor, I heard my lord Cardinal say, was corrupted by their policy and gifts ; and since his majesty's return to Spain, the governors of his archdukedom have granted safeconducts to French and Scotch merchants ; which is a marvellous hindrance, for if our commodities had been as well kept from them as theirs from us, many a thousand French artificers, who have no living but by working our wools, would have been compelled to cry to the King for

peace. The King should devote all his efforts to the subjugation of Scotland, and to join that realm to his, so that both they and we might live under one obeisance, law and policy, for ever. This would secure him the highest honor any king of England has reached, and it would be the greatest abashment to Francis. And though it be a common saying, that in Scotland is nought to win but strokes, there is another saying, "who that intendeth France to win, with Scotland let him begin." It is mere folly to think of keeping possessions in France, which is severed from us by the sea, while we allow Scotland, belonging to the same island, to recognize another prince. This, once united to England, all other possessions are easily retained.

[(b) Wolsey's speech to the two houses. *Lett. and Pap.*, iii. 2957.]

Master Speaker, the King's highness hath commanded me to shew unto you, that it is to his great rejoicement and comfort to understand and perceive how that ye have discreetly considered, by such report and declaration as I have made unto you on his grace's behalf, that his highness is commen unto the wars, not by any will and appetite which his grace hath thereunto, but only by extreme constraint, inforce and necessity; as well for the guarding of his honor, and the reputation of this his realm, as also for the conservation of his oath and promise, made to the Emperor, his good brother, nephew and ancient ally, and for the revenging of such injuries, breaches of amities and promises, with non-paying of his annual tribute, and detaining of his rights from him, by his ancient enemy, the French king; and, semblably, for violation of the peace which was concluded with the Scots. And whereas God hath sent him honorable and victorious successes in the

wars heretofore made against France, being inforced thereunto by like breach of promise, injuries and necessity, his grace, giving lowly thanks to Almighty God therefor, doubteth not but, with the gracious favour and assistance of Almighty God, and the good prayers of you and other his subjects, like victory shall follow and succeed unto his highness.

And whereas for the furniture of the said war, both defensive and offensive, ye have, after long pain, study, travel, great charges and costs, devised, made and offered an honorable and right large subsidy, which ye now have presented, in the name and behalf of all the subjects of this his realm, unto his majesty, his grace doth not only right acceptably and thankfully receive, admit and take the same, but also therefor giveth unto you his most hearty thanks, assuring the same that his grace shall in such wise employ the said subsidy and loving contribution, as shall be to the defence of his realm, and of you, his subjects, and the persecution and pressing of his enemy; for the attaining of good peace, recovering of his rights, and redress of such injuries as hath been done to you, his loving subjects, in time past. And, semblably, my lords, both spiritual and temporal, the King's highness giveth unto you his most cordial thanks, as well for that ye have agreed and given your assents to the said subsidy, as also by taking long pain, travail, study, costs and charges in devising such statutes, acts and good ordinances, as be for the common weal of this his realm. Praying both you and his said commons, that the same, by your good assistance, may be put in effectual execution; in doing whereof ye shall not only deserve the King's special favor, but also ye shall find him good and gracious sovereign lord unto you, in all your reasonable pursuits, from time to time hereafter.

112.

[Letter from Clerk to Wolsey, 14 September, 1523. *State Papers*, vi. p. 176. Pope Adrian died on that date.]

Notwithstandyng, the matters be yet so rawe and so grene, that it is hard to gyve judgement where the garland shall light. One thyng we can assure your Grace that your Grace hath all redy many great fryndes towards it, and percaas it shold so chaunce that Medices can not make hymself, ne the Cardynall of Farnays, as it will be veray hard for hym to do, if the band contynue whiche was agaynst him at the last election; than it is great lykelyhod that this diademe shall light upon your hed, as we beseche Allmyghty God that it may. One thyng we be right sure of, if your Grace were here present, ye shold be as sure of it as ye be of Yorke, and that tota Curia Romana ipsis et Reverendissimis Cardinalibus una [*anima*] approbantibus, nor the Cardynall of Medices, nor [*yet*] the prowdest of thaym all, wold no more loke for it, then they wold go to Jherusalem upon ther thombys. [*We*] must shewe your Grace the worst. Many of owr corty[*ers*] and also Cardynalles cannot abyde the heryng that any [*one*] absent shold be chosyn, for feare of translatyng the See, and other sondry inconvenyentes, whiche ded ensue by the last election;

113.

[Suffolk's expedition. *Chronicle of Calais*, p. 33.]

The xix. of Septembar, the duke of Suffolke, chefe generall of the kyng's army . . . and othar knights and sowldiars xv. M. set forward into Fraunce, and shortly after they bet downe Bell Castle, and sent them that remayned there alyve prisoners to Caleys.

114.

[The election of a Pope. Letter from Clerk to Wolsey, 2 December, 1523. *State Papers*, vi. p. 200.]

The night folowing, good watche was made, fearyng variation and newe practises, [*untill the*] next day in the mornyng, whiche was the 19th daye [*of the*] last moneth . . . the said Cardinall de Medices was chosyn Pope ab omnibus, nemine discrepante, and so had down into Saincte Peters church in pontificalibus. This is the hole processe of the election. It is trouth that duryng the discorde and discention amongst thaym, your Graces fryndes did attempt, and made at sondry tymes mocions effectually for your preferment, *set semper parum feliciter, for the multitude of thaym wold ne[ever] inclyne therunto, ne here of it, . . .* and for none other cause, but only propter absentiam et odium preteriti Pontificatus.

115.

[Opposition to the subsidy collectors, 1523. Hall, *Chronicle*, p. 673.]

In the last moneth called December were taken certain traytors in the cite of Couentry, one called Fraunces Philippe scholemaster to the kynges Henxmen, and one Christopher Pykeryng clerke of y^e Larder, and one Antony Maynuile gentleman, which by the persuation of the sayd Fraunces Philip, entended to haue taken the kynges treasure of his subsidie as the Collectors of the same came towarde London, and then to haue araised men and taken the castle of Kylingworth, and then to haue made battaile against the kyng: wherfore the sayd Fraunces, Christopher and Anthony wer hanged, drawen and quartered at Tyborne the xi. day of Februarye, the residue that were taken, were sent to the cite of Couentry and there wer executed.

[Battle of Pavia, 24 February, 1525. *Wriothesley's Chronicle*, i. p. 14.]

This yeare, the 9th day of Marche, tidinges were brought to the Kinge that Francis, the French King, was taken prisoner before the cittie of Pavie, in Italie, by the Duke of Burbon, capteyn of the Emperoures hoste, and 14,000 French men slayne at the same feild.

And the Archbishop of Yorke, cardinall and legatt de latere, songe masse the same tyme in Paules church, in his "pontificalibus," and 11 bishops and abbotts, with their miters, beinge present, the Duke of Northfolke and the Duke of Suffolke, with all the nobles of the realme. And the saide Cardinall grawnted the same to all manner of persons, beinge within the precinct of the church in the tyme of the masse, plenary remission of their synnes, *à poenâ et culpâ*; and, after masse, *Te Deum* was sunge for the sayde victorie, the Major, Aldermen, with the head craftes of the cittie standinge in the bodie of the church in theyr liveries; and that night great fiers were made in divers places of the cittie,¹ with vessells of wyne at everie fier for the people to drincke.

[The Amicable Loan, 1525. *Hall, Chronicle*, p. 698.]

The xxviii. daie of Aprill, in the Common Counsaill of the citee, was redde the kynges letter, accordyng to the effect aboue rehersed, wherfore the citizens sent foure Aldermen, and xii. Cominers to Hampton courte to geue thanks to the lorde Cardinall, whiche for busines as was

¹ Bateson, *Records of the Borough of Leicester*, iii. p. 26. Extract from the chamberlain's account: "Item payd for too lodes off wod and caryeng of the same to v places of ye towne to make fyres for ye tryumfe at the takyng fo the French Kyng 4s. 8d."

saied could not speake with hym, wherefore they returned not content. Then euery Alderman assembled his ward, in their places accustomed, *and* gently moued them of a beneuolence, to be graunted to the kyng, the which they openly denied, sayng: that they had paied inough before, with many euill wordes.

The viii. daie of Maie, the Cardinall again sent for the Maior and his brethren, whiche shewed them what they had done: then saiед the Cardinall, you haue no suche commission to examyn any man, I am youre Commissioner, I will examyne you one by one my self, and then I shall knowe the good will that you bear to your prince, for I will aske of you a beneuolence in his name. Then was it answered to the Cardinall, by a counsailer of the citee, that by the lawe there might no suche beneuolence be asked, nor men so examined, for it was contrary to the statute made the first yere of kyng Richarde the thirde, also some persones commyng before your grace, maie for feare graunt that, that all daies of their life they shall repent, and some to wynne your fauor, will graunt more then they bee able to paie of their awne, and so ronne in other mennes debtes, so that by dredfull gladnes, and fearefull boldnes, men shall not be masters of themselves, but as menne dismaied, shall graunt that that their wifes and children shall sore rewe. The Cardinall hard this sayng verie paciently, and answered: Sir I maruell that you speak of Richard the third, which was a vsurper and a murtherer of his awne nephewes, then of so euill a man, how can the actes be good, make no suche allegacions, his actes be not honorable. And it please your grace said the counsailer, although he did euill, yet in his tyme wer many good actes made not by hym onely, but by the consent of the body of the whole realme, whiche is the

parliament. Then sir Willyam Bayly lorde Maior, kneled doune and besought his grace, that sithe it was enacted, by the common Counsaill of London, that euery Alderman should sit in his awne ward, for a beneuolence to be graunted, whiche he perceiued to be against the lawe, that the same acte by the same common counsaill, might be reuoked and no otherwise: well saied the Cardinall, I am content. But now will I entre into the kynges Commission: You Maior and you Master Aldermen, what will you geue? my lorde saied the Maior, I praie you pardon me, for if I should entre into any graunt it might fortune to cost me my life: your life saied the Cardinall, that is a maruelous worde, for your will toward the kyng, will the citezens put you in ieoperdy of your life, that were straunge: For if they would that waie, then must the kyng come with strong power them to oppresse, wherfore speake no more suche wordes, and with that he studied a litle and saied: My lorde Mayor, let you and your citizens, if you be greued with any thyng, in this demaunde, humbly and after a good fashion come to me and I shall so entreate you that you shalbe content and no displeasure arise, *and* so I praie you shew your neighbors, and so the Maior for that daie departed.

The Maior did wisely not to assent to graunt to any thyng for although he and the Aldermen had assented, the common counsaill would neuer haue assented. So on the next morowe, it was declared to the common counsaill, that their act that was made that euery Alderman should sit for a beneuolence to be graunted, was against a statute lawe: wherevpon the said act was anulled: and then was it declared, that euery man should come to the Cardinall, and to graunt priuily what he would, with this sayyng the citezens wer sore greued . . . and so without answeare made, what they would do, they departed home.

118.

[Letter from Mendoça, Imperial ambassador in England, to the Emperor, 18 May, 1527. *Cal. State Papers, Spain*, iii. (ii) no. 69, p. 193. About the end of April or the beginning of May Henry had confided to Wolsey the secret of his desire for a divorce. On 17 May judicial proceedings were heard before Wolsey at his house at Westminster.]

Hears on reliable authority that the Legate, as the finishing stroke to all his iniquities, has been scheming to bring about the Queen's divorce. She is so full of apprehension on this account that she has not ventured to speak with him (Mendoça). It is added that the King is so bent on this divorce that he has secretly assembled certain bishops and lawyers that they may sign a declaration to the effect that his marriage with the Queen is null and void on account of her having been his brother's wife. It is therefore to be feared that either the Pope will be induced by some false statement to side against the Queen, or that the Cardinal, in virtue of his legatine powers, may take some step fatal to the said marriage. . . . Is convinced that the principal cause of all that she is made to suffer is that she identifies herself entirely with the Emperor's interests. The cause is in itself so just that, independently even of the near relationship existing, the Emperor might well espouse it. It would be very advisable if, with all possible secrecy, the Pope were to be put on his guard in case any application should be made to Rome against this marriage; also that His Holiness should tie the Legate's hands, and by having the cause referred entirely to himself, should prevent him from taking part in it, or appointing judges in this kingdom. Cannot learn what answer these bishops and lawyers have given the King on the subject of the divorce; and therefore thinks it advisable that, before

the result of these consultations and meetings becomes public, the Emperor should secretly inform his ambassador at Rome of the whole affair, that he may be on his guard. Believes that if the affair should be proceeded with, it will soon be made public. Should the King see that he cannot succeed, he will not run the risk of any of the preliminary steps being known ; but should he insist on pursuing the course he has begun, some great popular disturbance must ensue, for the Queen is much beloved in this kingdom, and the people are also greatly excited at the rumours of war.

119.

[Negotiations with France, July, 1527. *Chronicle of Calais*, p. 37.]

The xj. of July cardinall Wolsey landyd at Caleis ; . . . [p. 40]. There landyd also at the towne of Calays that cam out of England withe the cardinall of Yorke, the pope's ambassadors, and the Frenche kyng's ambassadors.

The xvj. of July there came to Calais, mounser Bee the capitayne of Boleyne, and the capitayne of Morterell, with a goodly company, to speke with the cardinall. . . .

The xxij. of July the cardinall rode to Boleyne with a great companye toward the Frenche kyng.

The xxiiij. of September cardinall Wolsey toke shipynge at Calleis and landyd at Dover.

120.

[Letter from Wolsey to Henry VIII., 29 July, 1527. *State Papers*, i. p. 230.]

Sire. Dayly and howerly musing and thinking on Your Graces gret and secret affayre, and howe the same maye cumme to good effecte and desired ende, aswel for the

delyveraunce of Your Grace out of the thraulde, pensif, and dolerous lif that the same is in, as for the continuaunce of your helth, and the suertie of your realme and succession, I considre howe that the Popes Holynes consent must concurre, aswel for the approbation of such processe, as shalbe made by me in the said matier, as in cace the Quene wold appelle (as it is not unlike she wil doo) or declyne from my jurisdiction; whose consent fayling, and not possible to be had, then the approbation of the Cardinalles, to be convoked in to oon place, representing the state of the College, is necessarily requisite: for the speddy atteyning of the which consentes, I canne imagine but two remedies; the oon is the Poores delyveraunce and restitution to libertie; that fayling, the other is the convocation of the said Cardinalles in to summe convenient place in Fraunce; for the which purpose, both Your Highnes, the French King, and I, have not oonly sent forth our letters to al such Cardinalles as be absent, but also divided offres, allectives, and practises to be set forth, to induce them to assemble in Fraunce; of whose repaire thither ther is good hoope and apparaunce.

121.

[Letter from Wolsey to Sir Gregory Casale, 5 December, 1527. *Lett. and Pap.*, iv. 3641.]

I have told you already how the King, partly by his assiduous study and learning, and partly by conference with theologians, has found his conscience somewhat burthened with his present marriage; and out of regard to the quiet of his soul, and next to the security of his succession, and the great mischiefs likely to arise, he considers it would be offensive to God and man if he were to persist in

it, and with great remorse of conscience has now for a long time felt that he is living under the offence of the Almighty, whom in all his efforts and his actions he always sets before him. He has made diligent inquiry whether the dispensation granted for himself and the Queen as his brother's wife is valid and sufficient, and he is told that it is not. The bull of dispensation is founded on certain false suggestions, as that his Majesty desired the marriage for the good understanding between Henry VII., Ferdinand and Isabella; whereas there was no suspicion of any misunderstanding between them. And, secondly, he never assented or knew anything of this bull, nor wished for the marriage. On these grounds it is judged inefficacious. Next, when the King reached the age of fourteen, the contract was revoked, and Henry VII. objected to the marriage. To this the King attributes the death of all his male children, and dreads the heavy wrath of God if he persists. Notwithstanding his scruples of conscience, he is resolved to apply for his remedy to the Holy See, trusting that, out of consideration of his services to the Church, the Pope will not refuse to remove this scruple out of the King's mind, and discover a method whereby he may take another wife, and, God willing, have male children.

As his Holiness is now in captivity, and there are some who will use their efforts to interfere with his wishes, he has devised a method whereby his Holiness may be dexterously instructed in this matter, and induced to grant the King's request.¹

¹The letter proceeds to instruct Casale to obtain a secret interview with the Pope.

122.

[Letter from Mendoza to the Emperor, 18 September, 1528. *Cal. State Papers, Spain*, iii. (ii) 550. Cardinal Campeggio left Italy in July, 1528, and reached England in the first week of October.]

The people in general here [in England] are much in favour of the Queen. There can be no doubt that His Imperial Majesty, by taking up her case as if it were his own, will, besides doing what is in itself a meritorious action, secure to himself the affections of the English people. At present there is nothing that annoys this King so much as the idea of not accomplishing his purpose. The Queen places her trust first in God, and next in Your Imperial Majesty. Under the present circumstances she needs more than ever Your Majesty's assistance and protection, and she hopes that proper measures will be taken both here and at Rome for the support of her rights.

A copy of the Papal brief of dispensation for the Queen's marriage to this King is much wanted here. It ought to come forthwith, but so fully and legally attested that it may be presented in Court. The one Mendoza has is a mere transcript. . . .

Both the King and his lady, I am assured, look upon their future marriage as certain, as if that of the Queen had been actually dissolved. Preparations are already being made for the wedding. The Queen, however, trusts in God and in His Imperial Majesty, as well as in the good-will and affection of the people of this kingdom, that the King and Anne will be prevented from gaining their purpose. His own impression is that this Cardinal now coming here [as Legate] does not bring any mandate to declare sentence in this case, but only to look into it, examine witnesses, &c., and then return to Rome with the

result of his inquiry. Suspects, moreover, that the Pope, to keep this King more, as it were, in his power, will delay as much as possible his decision in the matter, which plan his colleague [Cardinal Wolsey] will favour for his own convenience; firstly, because he is terribly afraid of the lady [Anne] becoming Queen [of England], and his own influence and power thereby decreasing; and, secondly, because the King, on account of this intended marriage, shows that he wants him more than ever on his side. However this may be, it is generally believed that both [the Legates] will secretly agree to keep this matter in suspense, and in the meantime profit by the King's favour and largesses. So it is that Cardinal Wolsey shows himself in public as the Queen's bitterest enemy . . . though in secret all know that he is working in her favour, from the reasons above mentioned, and fear of the lady (Anne), not from any good motive.

123.

[Letter from Campeggio to Sanga, 28 October, 1528. *Lett. and Pap.*, iv. 4881.]

At my departure his Holiness believed that his most reverend Lordship (Wolsey), with the King, was not so resolved in this matter but that I should find him willing to labor with me in persuading the King to hold another course; and that I should probably be able to persuade his Majesty to rid himself of this idea, and conform his mind to persevere in this marriage, without the publication of a judicial sentence. For this purpose his Holiness gave me express commissions to exert myself both with his Lordship and with his Majesty.

I detailed all the reasons which moved his Holiness to procure this result in a matter so greatly affecting the conscience, honor and dignity of his Majesty, the well-being of himself and his kingdom, and his Lordship, as also all Christians, and the present calamities. But though I spoke with my utmost power, I could not in the least move his Lordship (Wolsey) from his opinion. He alleged that if the King's desire were not complied with,—fortified and justified as it was by the reasons, writings and counsels of many learned men who feared God,—the speedy and total ruin would follow of the kingdom, of his Lordship, and of the Church's influence in this kingdom.

. . . But although in the Pope's name I have constantly debated this matter, and striven to reconcile the mind of his Majesty with his Eminence and with the Queen, in order that things might continue as they were, I have no more moved him (Wolsey) than if I had spoken to a rock. His objections were always founded upon the invalidity of the marriage, and upon the [in] stability of the realm and the succession. They (the King and Wolsey) have so abandoned themselves to this opinion, that they not only solicit my compliance with them, but the expedition of the business with all possible celerity.

Thus I find myself in great straits, and with a heavy burden on my shoulders; nor do I see how judgment can be deferred even for a brief space. They will endure no procrastination, alleging that the affairs of the kingdom are at a stand-still, and dependent on the issue of this cause; and that if it remains undetermined, it will give rise to infinite and imminent perils. . . .

In my last conversation with his Lordship he said and repeated many times (in Latin), "Most reverend Lord, beware lest, in like manner as the greater part of Germany,

owing to the harshness and severity of a certain cardinal, has become estranged from the Apostolic See and from the Faith, it may be said that another cardinal has given the same occasion to England with the same result." He (Wolsey) often impresses upon me that if this [divorce] is not granted, the authority of the See Apostolic in this kingdom will be annihilated; and he certainly proves himself very zealous for its preservation—having done and still doing for it very great services—because all his grandeur is connected with it.

124.

[(a) Letter from Sebastian Giustinian to the Signory, 23 November, 1528. *Cal. State Papers, Venice*, iv. 373.]

Cardinal Campeggio having tried to persuade the Queen of England to make choice of a monastic life, and consent to the divorce, so that it may be decreed justly, . . . she refused positively, and sent to Flanders for advocates to defend her case.

[(b) Letter from Sanga to Campeggio, [28 December, 1528]. *Lett. and Pap.*, iv. 5072.]

The Pope is aware of the good will of the cardinal of York towards the See Apostolic, and knows for certain that he induced the King to request a legate for this cause, although the prelates of the kingdom assured him that he could do without one. But would to God the Cardinal had allowed the matter to take its course, because, if the King had come to a decision without the Pope's authority, whether wrongly or rightly, it would have been without blame or prejudice to his Holiness. It would greatly please the Pope if the Queen could be induced to enter

some religion, because, although this course would be portentous, and unusual, he could more readily entertain the idea, as it would involve the injury of only one person. The King must see that the Pope is giving him all possible facilities for this purpose.

125.

[Letter from Du Bellay to Montmorency, 23 August, 1529. *Ibid.*, iv. 5862.]

It is intended to hold a Parliament here this winter, and then act by their own absolute power, in default of justice being administered by the Pope in this divorce.

126.

[Letter from Chapuys to the Emperor, 1 September, 1529. *Cal. State Papers, Spain*, iv. 132.]

It is generally and almost publicly stated that the affairs of the Cardinal are getting worse and worse every day. For some time past the King has forbidden any applications for audience to be made to him by foreign ambassadors, those of France not excepted, who have at all times found refuge in him. . . . The cause of this misunderstanding between the King and the Cardinal can be no other than the utter failure of the measures taken in order to bring about the divorce, on which failure those parties, who for a long time have been watching their opportunity to revenge old injuries, and take the power out of the Cardinal's hands, have founded their attacks to undermine his influence with the King, and get the administration of affairs in their own hands.

[Letter from Chapuys to the Emperor, 21 September, 1529. *Cal. State Papers, Spain*, iv. 160, p. 235.]

It is reported that the real cause of this Parliament having been convoked for the 2nd of November is, independently of others specified in my despatch of the 4th of September, to investigate the conduct and examine the accounts of all those functionaries who have been connected with the finances of this country. Others add that a motion will be made to abolish the Legatine Office in England, and prevent the Pope from appointing or sending in future legates to this country. Those who think so may not be far from the truth, for I now recollect that at the last sitting of the Legates (Campeggio and Wolsey) for the purpose of proroguing the case until the 2nd of October, the Duke of Suffolk got into a great passion and began to swear, and say within hearing of the King himself, of the cardinals, and of all those who had come to that piteous ceremony in order to hear whether the sentence was in favour of the Queen or against her: "I see now the truth of what I have heard many people say; never at any time did a Papal legate do anything to the profit of England; they have always been, and will hereafter be a calamity and a sore to this country."

I need scarcely observe that if these sentiments of the Duke gain ground with the King and the people of this country, there will be a door wide open for the Lutheran heresy to creep into England, which is the very identical threat made by the English ambassador at Rome when the Pope was pleased to grant the advocation, as I have informed Your Majesty in a previous despatch. I firmly believe that if they had nothing to fear but the Pope's

excommunication and malediction, there are innumerable people in this country who would follow the Duke's advice, and make of the King and ordinary prelates as many Popes. All this for the sole purpose of having the divorce case tried in England, notwithstanding the Holy Father's inhibition, and not so much perhaps for the ill-will they bear towards ecclesiastics in general, but principally on account of their property which they covet and wish to seize.

128.

[Letter from Chapuys to Charles V., 25 October, 1529. Bradford, *Correspondence of the Emperor Charles V.*, p. 290.]

Sire! The news here is, that the Cardinal who has long tottered, has at length come to his complete downfall. Having been dismissed from the Council, and deprived of his office as Chancellor, he has since also been constrained to make an inventory of all his moveables in his own hand, that nothing may be forgotten, and that he may be more easily convicted. It is said, that having of his own free will acknowledged his past errors and faults, he has presented all he had to the King, which is no trifling matter. Yesterday the King returned privately by water from Greenwich to view the said effects. He took with him only his Ladye Love, her mother and one gentleman of his chamber. The Cardinal notwithstanding his troubles, has always shewn a good face, until the day of St. Luke; when all his bravadoes have been turned into complaints and tears and sighs; and this, it is said, without ceasing day or night. When the King heard this, either moved with pity or thinking it inconvenient that he should die before a full disclosure and verification of several things had

taken place, he sent him a ring for his consolation. . . . [In a postscript.] Sire! Two days after I had written the above, the Cardinal was judicially and definitively condemned by the great Council of the King, and declared a rebel to his authority, and guilty of high treason, in as much as in defiance of the Royal Authority and the privileges of the kingdom, he had obtained the bull of his Legatine authority, and had disposed by anticipation of several benefices in the patronage of the King and others. On this account, he has been deprived of all his offices and preferments with their dignities and prerogatives. All and each of his goods, moveables and immoveables, have been adjudged to the King, and he is sentenced to imprisonment in one of the Royal prisons here in London, until the King shall decide on his ultimate fate. The sentence was not given in his presence, for in this particular they were ready to gratify him, but two procurators were solemnly ordered to appear on his part.

129.

[Sir Thomas More. *Wriothesley's Chronicle*, i. p. 16.]

And this yeare, in October 1529, Sir Thomas More, Chauncellor of the Dutchie was made Chauncellor of Englande, and sworne in the Chauncerie the first day of Michaellmasse terme; the Duke of Northfolke and the Duke of Suffolke leadinge him thorowe Westminster Hall up into the Chauncerie.

BOOK II. CONSTITUTIONAL.

A. THE CROWN.

1.

[Legal opinion upon Henry VII.'s title to the throne, 1485. B.M. Add. MS. 35938, f. 13*b* (French).]

Note. When Parliament was called, several of the knights and burgesses had been attainted by a previous parliament. These [acts of attainder] were reversed, the said persons absenting themselves from the parliament house while this was being done. As to the King's attainder, this was annulled *ipso facto* when he assumed the kingship: but as to what should be done with the Speaker who had been attainted, this was not settled. Query whether his attainder ought to be reversed, because he is not one of the judges of the parliament: but it is not fitting that those who are judges should remain attainted.

2.

[The Judges and St. 1 Hen. VII. c. i. B.M. Harg. 105. f. 96 (French).

This account is similar to the version printed in the 1679 edition of the Year Books. *Vide* Pollard, *Sources*, II. doc. 7.]

A serious question was put to all the judges by the Chancellor of England, about a bill which had been moved in the Common House to the Lords in parliament, praying that they would assent, &c. And the effect of the bill was that the inheritance of the crown of England and France

with all preeminence and prerogatives should be vested in our Lord the King and the heirs of his body lawfully begotten, in effect according to the act of 7 Hen. IV. c. 2. And the question was whether Franchises and Liberties of all kinds of persons would be resumed by this. And it was said that they would not.

3.

[An Act declaring the inheritance of the crown to be vested in Henry VII. St. 1 Hen. VII. c. 1 (1485). *Stat. Realm*, ii. 499.]

To the pleasure of Almyghty God the welthe prosperitie and suertie of this realme of Englonde to the synguler comforth of all the Kyngs subgettes of the same and in avoydyng of all ambiguyties and questions, [Be it] ordeyned establisshed and enacted by auctorite of this present parliament that thenheretaunce of the corounez of the realmes of England and of Fraunce, w^t all the preemynence and dignytie roiall to the same perteynyng, and all other seigniuriez to the Kyng belongyng beyond the see w^t thappertenaunces therto in any wise due or perteynyng, be rest remayne and abyde in the most royall person of oure nowe Soverain Lord King Henry the vijth and in the heires of his body laufully comyng perpetuelly with the grace of God so to endure and in noon other.

4.

[An Act declaring obedience to a *de facto* king not to be treason. St. 11 Hen. VII. c. 1 (1495). *Ibid.*, ii. 568.]

It be therfor ordeyned enacted and establisshed by the Kyng oure sovereign Lorde by advise and assent of the lordes spirituall and temporall and Comens in this present

parliament assembled and by auctorite of the same, that from hensfourth no maner of persone ne persones whatsoever he or they be, that attend upon the King and Sovereign Lord of this lande for the tyme being in his persone and do him true and feithfull service of alliegeaunce in the same, or be in other places by his commaundement, in his werres within this lande or w^tout, that for the same dede and true service of alliegeaunce he or they be in no wise convycte or atteynt of high treason ne of other offences for that cause by acte of parliament or otherwise by any processe of lawe, wherby he or any of theym shall [mowe] forfeit life landes tenementes rentis possessions hereditamentis godes catelles or eny other thingis, but to be for that dede and service utterly discharged of any vexacion trouble or losse; And if any acte or actis or other processe of the lawe hereafter therupon for the same happen to be made contrary to this ordynaunce, that then that acte or actes or other processes of the lawe whatsoever they shall be, stande and be utterly voide. Provided alwey that no persone ne persones shall take any benefite or avauntage by this acte which shall hereafter declyne from his or their seid alliegeaunce.

5.

[The importance of the succession problem has been indicated in previous extracts. The following are further illustrations. (a) Letter from Giovanni de Bebulcho to the Secretary of the Duke of Milan, 3 July, 1496. *Cal. State Papers, Milan*, 490.]

The king is very powerful in money, but if fortune allowed some lord of the blood royal to rise and he had to take the field, he would fare badly owing to his avarice; his people would abandon him. They would treat him as they did King Richard, whom they abandoned, taking the

other side because he put to death his nephews, to whom the kingdom belonged.

[(b) The opinion of a foreigner, *circa* 1500. *Ital. Rel.*, p. 46.]

This kingdom has been, for the last 600 years, governed by one king, who is not elected, but succeeds by hereditary right. Should there be no direct heir, and the succession be disputed, the question is often settled by the force of arms; and, though many ride on horseback to the place appointed for the decision of the quarrel, the combat takes place on foot. And, heretofore, it has always been an understood thing, that he who lost the day lost the kingdom also; but the present King Henry, in all his reverses, shewed that, even were all the rest gone, he would defend himself in the fortresses; and his good fortune has been equal to his spirit, for he never has lost a battle.

[(c) A conversation between Sir Hugh Conway and Flamank, reported to Henry by the latter, 1503? *Gairdner, Lett. and Pap.*, i. p. 233.]

“ . . . Yt ys not longe sithens his hygnes was syke and lay then in his maner of Wangsted. Hyt hapned the same tyme me to be emonges many grett personages, the whiche fele in communicacion of the kyngis grace and of the world that shoulde after hym yf hys grace hapned to depart.” Then he said that some of them spake of my lorde of Buckyngham sayng that he was a noble man and woldbe a ryall ruler. Other ther were that spake, he said, in lykwyse of your troytor Edmond De la Pole, but none of them, he said, that spake of my lord prynce.

[(d) Letter from Giustinian to the Signory, 10 November, 1518. *Cal. State Papers, Venice*, ii. 1103.]

In the past night the Queen had been delivered of a daughter, to the vexation of everybody. Never had the

kingdom so anxiously desired anything as it did a prince. Had the event preceded the betrothal, Princess Mary would not probably have been affianced; the sole fear of the kingdom being that it might pass into the power of the French through that marriage.

B. PARLIAMENT.

1.

[Writ to the Mayor and burgesses of Leicester making regulations for elections, 2 July, 1489. Campbell, *Materials*, ii. p. 456.]

Forsomoche as we be enfourmed that at euey eleccioun of maiour ther or burgesses of the parliamentes, or at the assessyng of any lawful inquisicions, the commonalte of oure seid towne, aswel poure as riche, have alway assembled at youre common halle, wher as suche persounes as be of lytel substaunce or reason and not contributories or elles full litelle to the charges susteyned in such behalues, and haue had interest thurgh the exclamacions and hedynges to the subversioun not only of the good pollice of oure seid towne, but likely to the open breche of the peax and othre inconveniencies encresyng, and causyng the falle, mysery and declyne of oure seid town, and to the discorage of you the gouernours their: for the reformation whereof, and to thentent that good rule and substanciaie ordre may be had and entreteigned there from hensforthe, we wol and straitly charge and commande you the seid maiour, bailif, and xxiiii. comburgeses of oure seid town now beyng and that for tyme hereafter shalbe, that alle common halles and assembles hereafter to be holden ther aswel for the elecioun of the maiour, of the justices of the peax, and burges of the parliamentes, as also for the assessyng of any lawful

imposiciouns as othrewise, ye courtly chose and call vnto you oure bailif of the seid town for the tyme beyng and oonly xlviij. of the moost wise and sadde commons happenyng amonges you, as by youre reasons and consciens shalbe thoughte leeful and moost expedient.

2.

[The parliament of 1529. Letter from Sadler to Thomas Cromwell, 1 November, 1529. Merriman, *Life and Letters of Thomas Cromwell*, i. p. 67.]

Wourshipfull Sir it may please you to be aduertised that a litle before the receipte of your lettere I cam from the courte where I spake with Mr. Gage and according to your commaundement moved him to speke vnto my lorde of Norffolk for the burgeses Rowme of the parlyament on your behalf And he accordingly so dyd without delay lyke a faythfull Frende, wherevpon my saide lorde of Norffolk answered the saide Mr. Gage that he had spoken with the king his highnes and that his highnes was veray well contented ye should be a Burges So that ye wolde order yourself in the saide Rowme according to suche instructions as the saide Duke of Norffolk shall gyue you from the king.

3.

[Payment of Members. (a) January, 1504. *Records of the Borough of Nottingham*, iii. p. 320.]

Item payd vn to Maister Recorder, the xxviiij dey of Mey, for his costes of the Parlement. iiij li.

[*Ibid.*, p. 325.] Memorandum, that Maister Recorder of Notyngham, as hit is seid, rode from his own house toward London to the Parlement whiche shuld begynne on Seint

Paule day the Conuercion on Sondag the xxj day of Janyver, in the xixth yere of Kyng Henry the vijth, and he abode ther and cam home agayn on Wedenesday after Palme Sondag, whiche is the third day of Aprille; and hit conteyneth in the hole lxxiiij dayes.

[(b) King's writ to the town of Reading, 5 July, 1504. *Reading Records*, i. p. 101 (Latin).]

We command you that you should cause Richard Smyth and Christian Nicolas, who were burgesses for the Commons of the same borough at the parliament which we caused to be summoned at Westminster 25 January last past, to have from the community of the borough £14 5s. for expenses for their coming to the said parliament, their staying there, and return from thence viz. each of the aforesaid Richard and Christian taking 2s. a day for 72 days according to the custom hitherto used and approved in our kingdom of England.

4.

[Letter from Rouland Bruges, M.P. for Hereford, to the Mayor of Hereford, 10 July, 1514. *Hist. MSS. Comm. Report* 13, App. iv. p. 306.]

In my righte herty maner I recomend me unto you desiryng your welfares and also of the seid citie, and where ye are in controversie for the expences of the money for me and Reignold Mynours my felowe elect for you and by you for alle the last long parliament so oft proroged and as yet in parte not fynyshed as M. Ridalle kane telle you, in parte I gretely marvele that ye of your gentilnes wull not se no better for thexecutyng of the Kynges writte made for the leveying therof as right is and as you and other where (*sic*) agreed at the tyme of eleccion, whiche

in parte was this, that I shuld have but xx s. of the comynalte for myne expences therof yf the seid parliament wer not proroged or further adjorned, the wiche parliament was ofte proroged to my grete cost and charge at diverse tymes. Trustyng and also desiryng you that with your good wysdomes to se suche convenyent ordre herein to me as ye have done to other in tymes passed, so that I have no resonable cause to seke for forther remedye herein, for I will be conformable to all good ordre and reasone though it be parte to my grete losse, the wiche a comynaltie might better susteyne then I; and as for the first being and sitting of the said parliament, the wiche continewd fifty dayes or therabout, I shall rebate all that to the xx s. and other promises made for the same, so that I be welle dealed withall in the remaynent as right and conciens wull, and what ye wull do in the premisses I desire you of answer.¹

5.

[Attendance at Parliament. (a) 22 December, 1505. *Cal. Pat. Rolls*, 1494-1509, p. 451.]

General pardon to William Stourton of Stourton, knight, *alias* lord Stourton; with exemption from attending any parliament or council that may be summoned even though a writ, letters or a mandate should be sent him.

[(b) 1515, St. 16 Hen. VIII. c. 16. *Stat. Realm*, iii. 134.]

[Be it enacted] . . . that from hensforth none of the seid knyghtis cytizens burgyses and barons nor any of them that

¹ *Hist. MSS. Comm. Rep.* 13, App. iv. p. 307. His colleague writes: "It is an holde sayng, he that doith for a comonalty schall have litille kyndnes and thankes, and so I have that hathe spent my money in your serveces in yeres passed, and cannot be payd of my wages. I ensure you of the lawe will I will (*sic*) have it every peny, and as shortly as I can. . ."

hereafter shalbe electyd to come or be in any parliament do nott depart frome the same parliament nor absent hym selff frome the same tyll the same parliament be fully fynysshid endyd or prorogyd, except he or they so departyng have lycens of the Speker and Comyns in the same parliament assembled, And the same licens be enteryd of record in the booke of the clerke of the parliament ap-
pyointed . . . for the Comon house; upon payn to every of them so departyng or absentyng them self in any other maner to loose all thos sommes of money, whiche he or they shuld or ought to have hadd for his or their wages.

6.

[Sir Thomas More was presented as Speaker on 18th April, 1523. His speech on that occasion is reported in Roper's *Life of More*, (ed. G. Sampson, 1910), p. 210.]

Sithe I perceyve, most redoubted sovereygne, that yt standeth not with your high pleasure to reforme this ellection and cause yt to be changed, but have by the mouthe of the most Reverend Father in God the Legate, your Highnes Chauncellour, therunto given your most royall assente, and have of your benignity determined, farre above that I maye beare, to enhable me, and for this office to repute me meete; rather then ye shoulde seme to impute to your Commons that they had unmetlye chosen, I am therefore, and alwayes shalbe, redye obedientlye to conforme myselfe to the accomplishment of your highe commandement; in moste humble wyse beseechinge your most noble majestie that I may, withe your graces favour, before I further enter therunto, make myne humble intercession unto your highnes for two lowlye petitions, the tone pryvatly concerninge my selfe, the other, the whole

assemblie of your Common House. For my selfe, gracious
 sovereygne, that yf yt misshappen me in any thinge
 hereafter that is on the behalfe of your Commons in your
 highnes presence to be declared, to mistake my message,
 and in the lacke of good utterance, by my misrehersall to
 perverte or impayre their prudente instructions, yt may
 then like your noble majestie, of your aboundante grace,
 with the eye of your accustomed pittie to pardone my
 simplenes, givinge me leave to repayre agayne to the
 Common House, and there to conferre with them, and
 to take their substanciall advise what thinge and in what
 wise I shall one their behalfe utter and speake before your
 noble grace, to the intente their prudente devises and
 affayres be not by my simplenes and follye hindered or
 impayred. Which thyng, yf it should soe mishappe, as it
 weare well likelie to mishapp in me, yf your gracious
 benignitye releevd not mine oversight, yt coulde not fayle
 to be duringe my life a perpetuall grudge and heavines to
 my harte. The helpe and remedy wherof in manner
 aforesayed remembred is, most gracious soveraygne, my
 firste lowly suite and humble petition to your most noble
 grace. Myne other humble requeste, most excellent prince,
 is this: Forasmuche as there be of the Commons here
 by your high commandment assembled for your Parlia-
 ment, a greate nomber which are, after the accustomed
 manner, appoynted in the Common House to treat and
 advise of the common affayres amongst themselves
 aparte; and albeit, most deere leige lord, that accord-
 inge to your prudente advise, by your honorable writtes
 everye where declared, there hath beene as due diligence
 used in sendinge up to your highnes courte of parliament
 the most discreete persons out of everye quarter that
 menne could esteeme meete therto; wherby yt is not to be

doubted but that ther is a substanciall assemblye of right wise, and politicke persons ; yet, moste victorious prince, sithe amonge soe many wise menne, neither is every man wise alike, nor among soe many men like well witted is every man like well spoken, and it often happenethe that likewise as muche follye is uttered with paynted polished speeche, soe many, boysterous and rude in language, see deepe indeede, and give righte substanciall counsell ; and sithe also in matters of great importance, the mynde is often soe occupyed in this matter, that a man rather studiethe what to saye, then howe ; by reasone wherof the wisest man and best spoken in a whole countrye fortunethe, while his mynde is fervent in the matter, somewhat to speake in such wise as he would afterwardes wishe to have beene uttered otherwise, and yet noe worse will had when he spoke it, then he hathe when he would soe gladly change it. Therefore, most gracious Soveraygne, consideringe that in your high courte of Parliament is nothing intreated but matter of weyghte and importance concerning your Realme and your owne Royall Estate, yt could not faile to lett and put to silence from the givinge of their advise and counsell many of your discreete Commons, to the greate hinderance of the common affayres, excepte that everye one of your Commons were utterly dischargd of all doubttes and feare howe any thinge that it shuld happen them to speake, should happen of your highnes to be taken. . . . Yt may therfore like your most aboumdante grace, our moste benigne and godly Kinge, to give all your Commons here assembled your most gracious lycence and pardon, freely witheout doubte of your dredfull displeasure, everye man to dischargd his conscience, and boldly in every thinge incident amongst us, to declare his advise ; and what soever happen

any man to say, that yt maye like your majestie of your inestimable goodnes to take all in good parte, interpretinge everye mans wordes, howe unconningly soever they be couched, to proceede yet of good zeale towards the profit of your realme, and honor of your Royall personne, the prosperous estate and preservacion wherof, most excellent sovereygne, is the thing which we all, your most humble loving subjects, accordinge to the most bounden dewtye of our naturall alleageance, moste highly desire and praye for.

7.

[Payment of Speaker. Letter from Wolsey to Henry VIII., 24 August, 1523. *State Pap.*, I. p. 124.]

And, Sire, where it hath been accustomed that the Speakers of the Parliamentes, in consideration of their diligence and pains taken, have had, though the Parliament hath been right soon finished, above the £100 ordinary, a reward of £100, for the better maintenance of their household, and other charges sustained in the same; I suppose, Sir, that the faithful diligence of the said Sir Thomas More, in all your causes treated in this your late Parliament, aswell for your Subsidy, right honorably passed, as otherwise, considered, no man could better deserve the same than he hath done: wherfore, your pleasure known therein, I shall cause the same to be avanced unto him accordingly; ascertaining Your Grace that I am the rather moved to put Your Highnes in remembrance thereof, because he is not the most ready to speake and sollicite his own cause.

8.

[The Case of Richard Strode, St. 4 Hen. VIII. c. 8 (1512). *Stat. Realm*, iii. 53.]

Lamentably compleyneth and shewith unto your most discrete wisdoms in this present parliament assembled Richard Strode Gentilman of the countie of Devonshire one of the burgesses of this honorable House for the Burgh of Plympton in the Countie foresaid; That where the said Richard conducended and greed with other of this house to putte forth certeyn bylles in this present parliament ageynst certeyn persones named tynners in the countie foreseid for the reformation of the perysshyng hurtyng and distroyng of dyvers portis havyns and crekys and oder billys for the comen wele of the said countie the which here in this high courte of parliament shuld and ought to be commendd and treated of; And for by cause the said Richard is a tynner for the causes and maters afore rehersed one John Fursse tynner understeward of the steynery in the said countie in and at fower courtes of the said steynery at divers placis and tymes before hym severally holden in the said countie he and other hath condempned the said Richard in the summe of viij^{xx} li. that is to wit at every courte xl li; . . . And for the execution of the same . . . the said Richard was taken and imprisoned in a doungeon and a depe pytt under grounde in the castell of Lidford in the said countie, and there and elsewhere remayned by the space of thre wekys and more unto such tyme he was delyvered by a wrete of privilege out of the Kyngges Eschequer at Westminster, for that he was one of the collectours in the said countie for the first of the twoo quyndezims graunted at and in this present parliament. . . . Wherefore the premysses by your greate

wisedoms tenderly considered the said Richard humbly prayth that it may be ordeyned establisshed and inacted . . . that the said condempnacion and condempnacions of the said viij^{xx} li. and every parcell therof and jugementes and execucions had or to be hadde for the same, and also the said obligacion and all demaundes had or to be hadde for the premisses or any of theym to be utterly voyde ageynst the said Richard and of none effecte.

And over that be it inacted . . . that sutes accusementes condempnacions execucions fynes amerciamentes punysshmentes correccions grevances charges and impositions putte or had or hereafter to be put or hadde unto or uppon the said Richard and to every other of the person or persons afore specified, that nowe be of this present parliament or that of any parliament hereafter shalbe for any bill spekyng reasonyng or declaryng of any mater or maters concernyng the parliament to be commened and treated of, be utterly voyd and of none effecte. And over that be it inacted . . . that if the said Richard Strode or any of all the said oder person or persons here after be vexed trobeled or other wise charged for any causes as is aforseid, that then he or they and every of theym so vexed or troubeled of and for the same to have accion uppon the case ageynst every such person and persons so vexyng or troubelÿng . . . in the which accion the partie greved shall recover trebyll damages and costes, and that no proteccion essoine nor wager of lawe in the said accion in any wise be admitted nor receyved.

9.

[A description of the parliament of 1523. (a) Letter from an unknown writer to the earl of Surrey, lieutenant of the North. Ellis, *Original Letters*, 1st Series, i. p. 220.]

Pleas it youre good lordship to understande, that sithens the begynnyng of the Parliamente there hathe bene the grettiste and soreste hold in the lower Hous for payement of ijs. of the li. that ever was sene I thinke in any parliamente. This matier hathe bene debated and beatten xv. or xvj dayes to giddir: the hieste necessitie alleged on the Kings behalf to us that ever was herd of: and of the contrarie, the hieste povertie confessed, as well by knights, squiers, and gentilmen of every quarter, as by the commoners, citezeins, and burgessis. There hathe bene suche hold that the Hous was like to have bene dissevered; that is to sey the Knights being of the Kings Counsaill, the Kings servaunts, and gentilmen, of the oon partie, whiche in soo long tyme were spoken with and made to sey ye; it may fortune, contrarie to their hert, will, and conscience. Thus hanging this matier, yestirdaye the more parte being the Kings servaunts, gentilmen, were there assembled; and so they being the more parte, willid and gave to the King ijs. of the li. of goods or lands, the beste to be takene for the King, all lands to paye ijs. of the li from the loweste to the hieste; the goods to paye ijs. of the li. from xx^{li}. upwards; and from xl^s. of goods to xx^{li}. to pay xvj^d. of the li. and undre xl^s. every persone to paye viij^d. this to be payed in ij. yeres. I have herd no man yn my lif that can remembre that ever ther was geven to any oon of the Kings auncestours half somoche at oon graunte; ner I thinke there was never suche a presidente sene before this tyme. I beseke almightie God it maye bee well and peasibly levied,

and surely payed unto the Kings Grace with oute grudge, and specially with oute losying the good wills and true herts of his subjects, whiche I rekene a ferre grettir treasure for a King then gold or silver. And the gentilmen whiche muste take payne to levie this money amongs the Kings subjects I think shalhave no litle besynes aboute the same.

My lorde Cardinall hathe promysed on his feithe that the ijs. of the li of lone money shalbe payed with a good will and with thanke. But no daye is appoyntid thereof.

I thinke nowe that this matier is soo ferre passid that the parliament woll sone bee endid.

Asto the Convocation amongs the prests, the furste daye of their apparence assone as masse of the holie gooste at Paulis was done, my lorde Cardinall assited all theim t'appere before hym in his Convocation at Westm^r: whiche soo did: and there was a nother masse of the holie gooste: and within vj. or vij dayes, the prests proved that all that my lorde Cardinalls Convocation shuld doo, it shuld bee voyde, because that their somons was t'appere before my Lorde of Cauntirbury; whiche thing soo espied, my lorde Cardinall hath addressed oute of newe Citacions in to every cuntrey commaunding the prests t'appere before hym viij. dayes after th'Assencon; and then I thinke they shalhave the iij^{de}. masse of the Holie Gooste. I praye god the holie gooste bee amongs theim and us bothe. I doo tremble to remembre the ende of all thies hye and newe enterprises: for oftene tymes it hathe bene sene that to a newe entreprise there folowethe a newe maner and strange sequele. God of his mercie sende his grace of suche facion that it maye bee all for the beste.

[(b) Cromwell's account of the same parliament. Merriman, *Life and Letters of Thomas Cromwell*, i. p. 313.]

But at this present I being at Sum layser entending to remembre and also remunerate the olde acquayntaunces and to renew our not forgotten Sundrye communycacions Supposing ye desyre to know the newes curraunt in thes partyes for it is said that newes refresshith the spy[rit] of lyffe, wherfor ye shall vnderstonde that by long tyme I amongist other haue Indured a parlyament which contenwid by the space of xvij hole wekes wher we communyd of warre pease Stryffe contencion debate murmure grudge Riches pouerte penurye trowth falshode Justyce equitye discayte opprescyon Magnanymyte actyuyte force attempraunce Treason murder Felonye consyli . . . and also how a commune welth myght be ediffyed and a[lso] contened within our Realme. Howbeyt in conclusyon we haue d[one] as our predecessors haue been wont to doo that ys to say, as well as we myght and lefte wher we begann. ye shall also vnderstond the Duke of Suthffolke Furnysshyd with a gret armye goyth ouer in all goodlye hast [whit]her I know not, when I know I shall aduertise yow. Whe haue in our parlyament grauntyd vnto the Kinges highnes a right large Subsydye, the lyke wherof was neuer grauntyd in this realme.

10.

[Legislation. (a) Forms indicating consent to bills. *Rot. Parl.*, VI. 480 (Latin).]

This Bill, in the form aforesaid, having been read and fully understood, was answered by the aforesaid king, with the assent and authority aforesaid, as follows.

Le Roy le veult.

[*Rot. Parl.*, VI. 482.]

This Petition was frequently read and fully understood, and it was answered by the said lord King, with the assent and authority aforesaid, as follows.

Soit faite come il este desire.

[(b) Stages in the passage of a bill. *Lords' Journals*, I. 5b (Latin).
1 February, 1510.]

On this day four Bills were introduced from the Commons' House. One, concerning Justices of Assise, was read for the first time in the Lords.

[*Ibid.*, 6a, 4 February, 1510.]

Also, the Bill concerning Justices of Assise . . . was read a second time and sent back to the Lower House for amendment, because the Lords thought that there should be included in the Bill not only those who dwell in such places but also those born in those parts.

[*Ibid.*, 6b, 8 February, 1510.]

Also there was brought back from the Commons' House the Bill concerning the Justices of Assise . . . and after being read before the Lords they decided that it should be sent back to the Lower House to be again amended.

[*Ibid.*, 7a, 16 February, 1510.]

Six Bills were introduced from the Lower House . . .
(4) For Justices of Assise. And Bryknell and Gremesby were deputed to go down on Monday to the Lower House to negotiate the amendment of the same Bill, and to arrange when it should begin to have effect.

11.

[Legislation. *Y.B. 4 Hen. VII.*, Mich. pl. 11, f. 18.]

In Parliament the King wished that a certain man should be attainted and lose his lands. The Lords assented, but nothing was said about the Commons. Wherefore, all the Judges definitely held that this was not an act. Therefore he was restored &c.

12.

[Drafting of Statutes, 1514. *Lords' Journals*, I. 35a.]

Also a Bill concerning royal debts was read for the fifth time. . . . Also the Lords deputed the Chief Justices with other judges here present, and the King's Serjeants at law, and also the King's Attorney and Solicitor General, to draft an act for royal security for obtaining his debts.

13.

[Publication of Statutes. (a) 8 January, 1496. An entry in the Assembly or Congregation Book, Borough of King's Lynn. *Hist. MSS. Comm., Eleventh Report*, App. 3, p. 171.]

This same day John Gryndall alderman and William Horwode chochen burgess of the last parliament cam in and shewid what actes were made in the said parliament, which actes the said John Gryndall aldirman declared and redde them opynly afore all the congregacion here.

[(b) 3 May, 1510. *Lett. and Pap.*, i. 485, g. 4.]

Warrant to the archbishop of Canterbury, Chancellor, to deliver to Richard Pynson, the King's printer, a true copy of the statutes lately passed in Parliament that he may print them.

14.

[An early example of parliamentary reporting, 1485. The representatives of Colchester report on the proceedings of parliament. *The Red Paper Book of Colchester*, p. 61.]

Maister Baillies, and all my masters. Accordyng unto our deute we went to Westmynestr the vijth day of Novembr, the yere abovesaid, by ix of the clocke, and there we gave a tendawnse upon the Kyngs grace withyn that same oure it pleased the Kyngs high grace, and all his lords speritualx and temporalx that was there present; soo cam downe oucte of the parlement chambir in to the cherche of Westmynestre, and there was seid the masse of the Holy Gost. In that while that masse wasse seyyng cam my Lord Stuard in to the parlement chambir, and there comaunded a proclamacion for the Kyng, that every knyght that wear chosyn for the sheris, and ever[y] citzener for ceties, and every burgessez for borowes that they shuld answer bye ther names; and so they ware callid and resseyved in to the parlement chambir; and son after that doon it pleasid the Kyngs grace and all his lords spirituall and temporall cam in to the parlement chambir. . . .

[The text at this place is incomplete: but the point seems to be that the Chancellor made a sermon in which he explained the cause of the summoning of parliament.]

The vijth day of Novembr, be ix of the klokke, so for to procede un to a leccion for . . . chose a Speker. So the leccion gave hir voyse unto Thomas Lovell, a gentilman . . . Lyncolnes Inne. That doon, it pleased the Knyghts that were there present for to ryse f[rom] ther sets and so for to goo to that plase where as the Speker stode and [brought him and] set hym in his sete. That don, there he thanked all the maisters of the plase. Than [it pleased]

the Recorder of London for to shew the custume of the place. This was his seyeng: [Maister] Speker, and all my maisters, there hath ben an ordir in this place in tymes passed [that] ye shuld commaunde a certeyn of Knyghts and other gentilmen, such as it pleaseth you, . . . to the nombre of xxiiij, and they to goo togedir un to my Lord Chaunceler, and there to show unto his lordship that they have doon the Kyngs commaundement in the chosyn of our Speker, desyryng his lordship if that he wold shew it un to the Kyngs grace. And . . . whan it plesith the Kyng to commaunde us when we shall present hym a fore his high grace. Yt pleased the Kyng that we shuld present hym upon the ix day of Novembre. That same day, at x of the cloke, sembled Maister Speker and all the Knyghts, sitteners, and burgeyses in the parlement howse, and so departed in to the parliament chambir be fore the Kyngs grace and all his lords spirituall and temporall and all his Juggs, and so presented our Speker before the Kyngs grace and all his lords spirituall and temporall.

The xth day of Novembre there was red a byll for the Subsedie be twen the Kyng and the merchaunts, whiche byll was examyned amonges us and oder divers person maters, and non conclusyon.

The xjth day of Novembre the same byll was red afore us and there passed as an aucte. And that doon, Maister Speker commaunded iiij gentyll men for to ber it to my Lord Chaunceler, desyryng his lordship that he wold certifie the Kyngs good grace withall.

The xijth day of Novembre there cam a byll from the Qwene Elizabeth that was, and so red, for such certeyn desyrs for castells and for oder possessions that she was possessed of in King Edward's day, and so red.

The xiiijth day of Novembre it was Sunday.

The xiiijth day there were arguments for such to non conclusyon.

[Similar brief notes of the daily transactions of the Parliament during the remainder of the session are given.]

C. FINANCE.

1.

[Ayala's account of Henry's wealth. Letter to Ferdinand and Isabella, 25 July, 1498. *Cal. State Pap., Spain*, i. 210.]

The King of England is less rich than is generally said. He likes to be thought very rich, because such a belief is advantageous to him in many respects. His revenues are considerable, but the custom house revenues, as well as the land rents, diminish every day. As far as the customs are concerned, the reason of their decrease is to be sought in the decay of commerce, caused partly by the wars, but much more by the additional duties imposed by the King. There is, however, another reason for the decrease of trade, that is to say, the impoverishment of the people by the great taxes laid on them. The King himself said to me, that it is his intention to keep his subjects low, because riches would only make them haughty. The rents of the domains which he has confiscated to the Crown have much diminished. The reason is that the lords had administrations.

His crown is, nevertheless, undisputed, and his government is strong in all respects. He is disliked, but the Queen beloved, because she is powerless. They love the Prince as much as themselves, because he is the grand-child of his grandfather. Those who know him love him

also for his own virtues. The King looks old for his years, but young for the sorrowful life he has led. One of the reasons why he leads a good life is that he has been brought up abroad. He would like to govern England in the French fashion, but he cannot. He is subject to his Council, but has already shaken off some, and got rid of some part of this subjection. Those who have received the greatest favours from him are the most discontented. He knows all that. The King has the greatest desire to employ foreigners in his service. He cannot do so; for the envy of the English is diabolical, and, I think, without equal. He likes to be much spoken of, and to be highly appreciated by the whole world. He fails in this, because he is not a great man. Although he professes many virtues, his love of money is too great.

He spends all the time he is not in public, or in his Council, in writing the accounts of his expenses with his own hand.

2.

[An estimate of Henry VII.'s revenue. *Ital. Rel.*, p. 47.]

Therefore the ordinary income for the maintenance of the King, Queen, and Prince, amounts to 290,000 crowns of gold. . . .

To this income . . . another ordinary one is added, of this kind:—When any princes of the realm die without leaving heirs, their military services revert *ipso facto* to the crown; thus, it receives the revenues the Duke of Lancaster possessed, and they are entered into the royal chamber, called the Exchequer, which revenues amounted to a third of the sum allotted to the crown, which would be 80,000 crowns.

It also takes the income of the Duke of York, which is 25,000 marks, or 75,000 crowns.

These two immense incomes are not to be wondered at, because those princes were Kings' sons, and their fathers, though they could not dismember the kingdom, chose that their younger sons should have wherewithal to live according to their rank.

The Duchy of Clarence has also reverted to the crown, which was worth 12,000 marks, or 36,000 crowns.

That of Somerset, valued at 8,000 marks, 24,000 crowns.

Also that of Gloucester, valued at 6,000 marks, or 18,000 crowns.

That of Exeter worth 5,000 marks, or 15,000 crowns.

The Duchy of Bedford, worth 3,000 marks or 9,000 crowns.

These altogether would yield an ordinary return of 257,000 crowns, which, added to the other (290,000 crowns), form an income of 547,000 crowns.

Several marquises and earldoms, and the fees of many gentlemen, have also fallen to the crown, but these being of small importance, are not noticed here.

The English do not reckon their gabel, which they call *customs*, in the ordinary income. These were originally levied for the supply of the crown, a duty of three pence being paid on every 20 shillings worth of merchandise, that came in or went out of the kingdom. Subsequently, to enable the King to keep the coast free from pirates, this duty was raised from three to fifteen pence. And this gabel or custom produces on an average 20,000*l.* sterling, or 100,000 crowns annually.

In this custom is not included the duty upon wools, which are carried into Europe by sea, and pay the third of their value to the King. This very heavy tax was

imposed in order to prevent the raw material being carried out of the country, and to encourage the home manufacture of cloth. This brings in about 40,000*l.* sterling, or 200,000 crowns.

All these then, united, form an income of 847,000 crowns.

There is also another duty upon the wools which are taken to Calais, and from thence sent out into Europe by land. This duty is called by these people *the Staple*. But all the proceeds of the said woolstaple are assigned to the maintenance of the guard at Calais and Berwick; and are therefore not included in the revenue.

The King never need be in want of more money still, should he require it, for, whenever any of his feudatories die, leaving their children minors, he takes the charge of the said children till they are of age, keeping in the meantime all the profits of their estates for his own use. And, should the wife of any such feudatory remain a widow without children, his Majesty inherits everything; because, according to the custom of the country, no one can marry again without the royal permission, and, to shorten matters, when they wish to obtain such a permission they pay a large sum of money; and I understand that his Majesty makes more than 50,000 crowns per annum, by the widows and wards.

It is no inconsiderable sum either, that he obtains from cathedral churches, monasteries, and other benefices, whose revenues are enjoyed by the crown during vacancy, for which reason such vacancies are not very speedily filled up.

And if the abbeys founded by the crown do not actually pay money to the King, they are obliged to defray the expenses of one, two, or three gentlemen, and as many horses, with their keep, at the pleasure of his Majesty.

Because, whenever the King wishes to bestow an easy life upon one of his servants, he makes some one of these monasteries pay his expenses. . . .

I had almost forgotten to mention the pension of 10,000 ducats, paid annually by the king of France, which was originally granted by king Louis (the Eleventh) to king Edward the Fourth, and was afterwards confirmed by king Charles (the Eighth) to king Henry the Seventh, when he went over into Picardy.

If the king should go to war, he does not content himself with his ordinary income, but he immediately compels the clergy to pay him one, two, or three fifteènth, or tenths, as is the custom with us, and more, if the urgency of the war should require it.

One fifteenth net is worth 12,000*l.* sterling, or 50,000 crowns.

And if it should be a case of glory, or necessity, such as a war with France or Scotland would be, on the requisition of so wise a king as Henry the Seventh, the three estates before named would always agree to give him one, two, or three fifteènth, and a fifteenth of the three estates is worth 37,930*l.* sterling. And this tithe is not taken according to the real property of either the clergy or the laity, but by an ancient assessment of the kingdom.

3.

[Revenues of Henry VIII. Giustinian, *Despatches*, ii. 313.]

His revenues amount to about 350,000 ducats annually, and are derived from estates, forests, and meres; from the customs or duties; from hereditary and confiscated property; from the Duchies of Lancaster, York, Cornwall, and Suffolk; from the County Palatine of Chester and

others; from the Principality of Wales; from export duties; from the wool staple; from the Great Seal; from the annats yielded by church benefices; from the Court of Wards; and from new year's gifts; for on the first of the year it is customary for his Majesty to make presents to every body, but the value of those he receives in return greatly exceeds his own outlay.

His Majesty's expenses may be estimated at 100,000 ducats, those in ordinary having been reduced from 100,000 to 56,000; to which must be added 16,000 for salaries; 5,000 for the stable; 5,000 for the halberdiers, who have been reduced from 500 to 150; and 16,000 for the wardrobe, for he is the best dressed sovereign in the world; his robes are the richest and most superb that can be imagined; and he puts on new clothes every holiday.

4.

[Grant of Tonnage and Poundage (1485). *Rot. Parl.*, VI. 268b.]

To the worshipp of God. Wee youre poure Commons by youre hie comaundement comyn to thys youre present Parliament assembled, graunte by this present indenture to You, oure Soveraigne Lord, for the defence of this youre said Realme, and in especiall for the saufegaurd and keeping of the see, a subsidie called Tonnage, to be taken in manner and fourme followinge; that is to say, iii s. of everie tonne of wyne cominge into this youre said realme, and of everie tonne of sweet wyne cominge into the same youre realme, by everie marchaunte aliene, as well by the marchaunts of Hanse and of Almaine, as of eny other marchaunte alien, iii s., over the said iii s. afore graunted: . . . And over that, Wee . . . graunte . . . another subsidie called Poundage; that is to say, of all manner of

marchaundises of every marchaunte denizein and alien, as well of the marchauntes of Hanze and Almayne, as of eny other merchaunt alien, carryed oute of this youre said realme or brought into the same by wey of Marchaundise, of the vallue of every xx s., xii d.;

5.

[A grant of tenths and fifteenths. St. 3 Hen. VIII. c. 22. (1512).
Stat. Realm, iii. 43.]

We your humble subjectis in this present parliament assembled well knowyng and perceyvyng that the Frenshe Kyng auncient enemye to thys your realme of Englonð dayly opteigneth with grete strenght and power many grete citees townes and countreis in the parties of Italie and other parties beyond the see, and also of his high and insaciabie appetite and mynde not contented with region and dominions of Fraunce yeveth his assistance to the Duke of Gelder ayenst Tharcheduke and Prince of Castell your nere alye and ayenst his subjectes of Flaunders . . . And over that your said humble subjectes considering the Kyng of Scottis . . . daily prepaireth grete nomber of habilimentes of werr and kepeth no perfite lege and amytie with your Grace. . . . In consideracion wherof We yo^r said Commons by thassent of the Lordes spirituall and temporall . . . graunte by this present indenture to you our Souveraine Lord for the necessarie defense of this yo^r seyð Roy^{me} and us your said true subjectes of the same two hole xv^{mes} and x^{mes} to be had payed taken and levied of the moevable goodis catalles and other thinges usually to suche xv^{mes} and x^{mes} contributorie and chargeable within the shires citees boroughes and townes and other

places of this your said Roy^{me} in maner and fourme afore tyme used.

6.

[Petition of the Commons to pay £40,000 in lieu of the aids to which the King is entitled on the knighthood of his eldest son and the marriage of his daughter Margaret. St. 19 Hen. VII. c. 32, (1504). *Stat. Realm*, ii. 675.]

For asmoche as the Kyng our Sovereign Lord is rightfully intitled to have two resonable aides accordyng to the lawes of this land, the one aide for the makyng knyght of the right noble prince his first begoten son Arthure late Prince of Wales deceased whose soule God pardon, and the other aide for the mariage of the right noble princesse his first begoten daughter Margaret nowe married unto the Kyng of Scottes; and also that his highnesse hath susteyned and borne gret and inestimable charges for the defense of this his realme, and for a ferme and a perpetuall peace w^t the realme of Scotland and other many cuntres and regions, to the gret wele comfort and quietnes of all his subgettis; the commens in this present parliament assembled, consideryng the premissey, and that if the same aides shuld be either of theym levyed and had by reason of their tenures accordyng to the auncient lawes of this land, shuld be to theym doutefull uncerteyn and gret inquietnes for the serche and non knowlege of their severall tenures and of their londis chargeable to the same, have made humble petition unto his Highnesse graciously to accept and take of theym the somme of xliMⁱ li. . . . upon the which petition and offer so made his Grace . . . hath remytted pardonid and releessed . . . unto his seid nobles and all his seid subjettes in any wise chargeable or contributory to the seid aides. . . .

[The King accepts £30,000 to be assessed, by named commissioners, on real and personal property in each county.]

7.

[Clerical Subsidy. 5 June, 1489. Campbell, *Materials*, ii. p. 452.]

Clerical subsidy, province of York: Writ from Thomas, by divine permission archbishop of York, to the treasurer and barons of the exchequer, certifying them (in compliance with the mandate of a king's writ, 12 May, 4 Hen. VII.) that he has appointed the abbot and convent of the monastery of Kirkstall, co. York, . . . [and others] . . . to be collectors of the two entire tenths granted to the king, for the preservation and defence of the church and kingdom of England, by the prelates and clergy of the northern province assembled in the chapter-house of the cathedral church of York, in convocation held on 27 January 1488, with continuation and prorogations of subsequent days.

8.

[Example of a Benevolence, 1491. *Cal. Pat. Rolls*, 1485-1494, p. 366.]

Appointment of Thomas earl of Surrey, the abbot of the monastery of St. Mary by York, Richard Tunstall, knight, Henry Wentworth, knight, Nicholas Knyfton, and Master John Beverley, clerk; inasmuch as the king's adversary Charles of France not only unjustly holds the king's realm of France, and his duchies of Normandy, Anjou, Touraine and Aquitaine, but threatens also to subvert England, and the king intends to invade France in person, and as funds are required for the expedition; to go to Yorkshire, and exhort and require the inhabitants

to assist according to their means, in person or otherwise, in this arduous undertaking, and certify the king and Council of what they had done.

9.

[Examples of Loans to Henry VII. (a) 1485. Kingsford, *Chronicles of London*, p. 193.]

In this yere was a preest of ij m^l li. made to the kyng, which was cessid and allowed by the ffelyshippys and not by the Warders. Wherof the ffelishippys of Mercers, Grocers, and Drapers bare ix C xxxviij li. vj s.

[(b) 1487. *Ibid.*, p. 194.]

Also this yer was a prest lent vnto the kyng of iiij m^l li. made vnto the kyng, which was assessed by the ffelyshippys, wherof Mercers, Grocers, and Drapers bare M^l vj C xv. li. And the Craftes of Goldsmythes, ffysshemongers, and Taillours bar ix C xlvj li. xiiij s. iiij d. Summa that these vj ffelishyppys bare M^lM^l v C lxj li. xiiij s. iiij d. And so all the Remenaunt of the Craftes bare M^l iiij C xxxviij li. vj s. viij d. Also in July the same yer was made a prest vnto the kyng of M^lM^l li., Cessed after the Rate of that other, which were Justly content, and paied the yer folowyng.

[(c) 1496. *Ibid.*, p. 212.]

Also vpon the Sonday folowyng was sent from the kyng M. sir Rignold Bray, with other of the kynges Counsell, to the Mair to borow of the Citie x m^l li. And vpon the Thursday next folowyng was graunted by a Comon Counsell to lende to the kyng iiij m^l li.¹

¹ *Ibid.*, p. 223: "The said moneth was Repayd the iiij m^l li. before borowid by the kyng of the Cite of London, as afore Sweth.

10.

[Arrangements for repayment of a loan. 10 July, 1486. Campbell, *Materials*, i. p. 494.]

Thys bille, endented the xth day of July, the furste yere of the reigne of Kynge Henry the vijth, wytnesseth, that, Richard Gardyner and Willyam Pratte, and other citezins of the citee of London, by thandes of Thomas Stokes, have receyved of the abbot of Bardenney, collector of the seconde half of a dysme payable at the feste of Seynt John Baptiste laste passed, by thandes of [], the somme of, in parti of payment, lxvi. li. xiiij. s. iiij. d., to theym, by a taylle levyed at the kynges recepte, the vijth day of Marche laste passed, upon the collectour of the seconde half of a dysme of the clergie unto Richarde, late, in dede and not of right, kyng of Englund . . . in the parties of Kesten', in the archidecounrey of Lyncolne, graunted, the whiche taille is by oure said soverayne lord, unto the said Richard and Wyllyam Pratte and other citezenes for contentacion of so moche money late by thayme unto oure said soverayne lord lente, delyvered.

11.

[Distrainment of Knighthood. P.R.O. Close Roll, 10 Hen. VII., m. 9d. (Latin.)]

The King to his beloved and faithful Thomas son and heir of our beloved cousin Thomas Marquis of Dorset greeting. Since we, by the advice and assent of our council have decreed to our dear son Henry our second born the Order of Knight of the Bath, and create him Duke of York in the feast of All Saints next following, and have named and chosen you and others of our kingdom

according to the ancient custom used in this creation to raise you to the aforesaid knighthood along with our aforesaid second born son. We, therefore, command and enjoin you to appear forthwith in your own person before us in the aforesaid feast, and you should prepare yourself to receive this rank without delay: and this under penalty of £500 if you fail to do so.

D. COUNCIL AND STAR CHAMBER.

1.

[Henry VII.'s Council, 1485. Hall, *Chronicle*, p. 424. The following must not be taken as an exhaustive list of Henry's councillors. A much longer list of persons termed councillors can be compiled from the Calendar of Patent Rolls and from other sources: but the exact status of such councillors it is difficult to establish.]

[Henry] established in his house a graue counsaill of wyse and pollitique men, by whose iudgement, ordre & determinacion the people might be gouerned accordyng to iustice and equitie, and that all causes might be finyshed and ended there, without great bearyng or expence in long sute. And for hearyng & decydyng these causes iustly and spedely, he sware of his counsaill dyuerse noble and discrete persones, whiche for their pollecy, wit & singuler grautie, were highly estemed and renoumed, whose names folowe, Iaspar duke of Bedfoorde, Ihon erle of Oxford, Thomas Stanley erle of Darby, Ihon bishop of Ely, Sir Wyllyam Stanley lord Chamberleyn of his housholde, Sir Robert Willoughby, lord Brooke, lord Stuard of his household, Gyles lord Dawbeney, Ihon lord Dynham after made tresorer of England, Sir Reignold Brey, Sir Ihon Cheiney, Sir Richard Guyldforde, Sir Richard Tunstall, Sir Richard

Egecombe, Sir Thomas Louell, Sir Edward Pownynges, Sir Ihon Risley, with diuerse other wyse men, whiche as the tyme required he called to his counsayll and seruyce nowe one and nowe another.

2.

[A great council, 24 October, 1496. Kingsford, *Chronicles of London*, p. 211.]

In this yere the xxiiij day of Octobre⁴ beganne a grete counsaill holden at Westmynster by the kyng and his lordes spirituell and temporall, to the which counsaill come certeyn burgises and merchauntes of all Cities and good Townes of Englund : at which Counseill was graunted vnto the kyng for the diffence of the Scottes cxxm¹ li ; which counseill ended the vth day of Nouembre.

3.

[Henry VIII.'s Council, *circa* 1509. Letter from Henry to the rebels in Yorkshire, 1536. *State Papers*, i. p. 507.]

As touching the begynnyng of our reigne, where ye say so many noble men were Counsaillours ; who were then Counsaillours, I well remember, and yet of the Temporaltee I note non but 2, worthie calling noble ; the one Treasurer of Englonde, the other High Stewarde of our House ; others, as the Lorde Marney, and Darcy, but scant well borne gentilmen ; and yet of no grete landes, till they were promoted by Us, and so made Knightes, and Lordes : the rest were lawyers and preestes, save 2 Bisshoppes, which were Caunterbury and Wynchester.

4.

[Council Ordinances of Henry VIII., 1526. *Ordinances for the Royal Household* (Soc. of Antiquaries), p. 159, cl. 74.]

And to the intent that as well matters of justice and complaints touching the griefs of the King's subjects and disorder of his realm and otherwise which shall fortune to be made, brought and presented unto his Highness by his said subjects in his demur or passing from place to place within the same, as also other great occurrences concerning his own particular affairs, may be the better ordered and with his grace more ripely debated, digested and resolved . . . it is . . . appointed . . . that a good number of honorable, virtuous, sad, wise, expert and discreet persons of his Council shall give their attendance upon his most royal person.

[Of the 20 persons named, 14 are royal officials.]

5.

[The Council and Star Chamber. The close relation between the two, both before and after the Act of 1487, is suggested by the following extracts. (a) Receipts under Easter Term, 1 Hen. VII., 20 July, 1486. Campbell, *Materials*, i. p. 569.]

From Thomas Monyngton, esq., of a fine, for certain reasons made before the king and his council in the Star Chamber, 10^l.

[(b) Memoranda of the Treasury. *Antient Kalendars and Inventories of the Exchequer*, iii. p. 45 (Latin).]

Memorandum that on 7 November, 2 Hen. VII. the Lord Chancellor of England and other prelates and magnates of the Council of the same Lord King, delivered in the Star Chamber to the Treasurer and Chamberlain, a

writing of the King of Scots with reference to the ratification and confirmation of truces, etc.

[(c) Two extracts from the Book of Entries. B.M. Add. MS. 4521, f. 106b. Printed in Scofield, *Court of Star Chamber*, p. 20. This MS. purports to be a sixteenth century copy of the Book of Entries of the business done in the Star Chamber. The following extracts refer to business which seems to have been dealt with by the council in the Star Chamber, 3 January, 1488.]

The Gent. of the Countie of Kent, Sussex, Suffolk and Essex shall agree with the Kinge to bringe a certaine number of armed men to the aide of Callais, and monie shalbe deliuered att Canterburie, 1000 li. or 1000 marks.

My Lordes of Norhumberland shall indent with the Kings highnes to prepare, and haue readie 200 men, to be putt into Barwicke incontientlie, as it shalbe knowne that the Scotts intendeth to approach it, and to Laye seige thereto, And the Kings highnes, within Thirtie dayes shall send him mony for his Charges. And my Lord of Dirham 300. . . .

[*Ibid.*, f. 190b. 17 June, 1492.]

The Ambassadors of Fraunce appeared, And beinge required to declare their intencion, and the cause of their cominge did refuse soe to doe. And because they required to be brought to the Kings presence, and to speake with his Ma^{tie}, It is concluded [that] the Kinge shalbe aduertised of the bringinge of the French Kings lettres.

[(d) A list of those present in the Star Chamber, 26 November, 1504. *Cal. Pat. Rolls*, 1494-1509, p. 388.]

Exemplification at the request of the society of 'merchauntes adventurers' of:—

(1) The tenor of a judgement given by the king and council, in the 'Sterre Chambre' at Westminster, 26

November last, as to certain disputes between the said merchants adventurers and the merchants of the staple of Calais, whereby either party making any use of the privileges of the other, should be subject to all the regulations and penalties by which that other is bound. . . .

(2) The names of the lords spiritual and temporal and others who were present with the king in council at the giving of the above judgement, to wit: The archbishop of Canterbury, chancellor, the archbishop of York, treasurer of England, the bishop of Winchester, the archbishop of Dublin, the bishop of Lincoln, the bishop of Norwich, the bishop of Coventry and Lichfield, the bishop of Carlisle, the bishop of Rochester, the duke of Buckingham, the marquis of Dorset, the earl of Arundel, the earl of Derby, the earl of Ormond, lord Daubeney, the king's chamberlain, lord Bergevenny, lord Dudley, lord Hastings, lord Herbert, lord Darcy, lord Willoughby, lord Dacre of "le South," lord Fyneux, chief justice of the King's Bench, lord Frowik, chief justice of the Common Pleas, Master Rowthale, the king's secretary, Thomas Lovell, knight, Richard Guldeford, knight, Edward Ponynge, knight, Thomas Bourgchier, knight, Edmund Dudley, Master West, doctor of laws, Robert Drury, knight, Robert Lytton, knight, Gilbert Talbot, knight, Walter Hungerford, knight, Master James Stanley, clerk, John Rysley, knight, Henry Wyot, Master Hatton, doctor of laws, Master Vaughan, doctor of laws, Master Meautis, the king's secretary in the French tongue.

[(e) The Clerk of the Council and the Star Chamber, 10 July, 1509.
Lett. and Pap., i. 132, g. 43.]

Monastery of Shrewsbury. *Inspeximus* and exemplification, at the request of the abbot and convent of Shrewsbury, of the following documents. 1. Writ of *certiorari*, dated

20 May, 1 Hen. VIII. directed to Robt. Rydon, Clerk of the Council, requiring the tenor of a judgment given by William abp. of Canterbury and others of the Council on a dispute about certain possessions, &c., between the said abbot and convent and the bailiffs and commonalty of Shrewsbury. 2. Certificate of Robert Rydon, *Consilii Regii clericus*, dated 30 May, 1 Hen. VIII., that on searching the books of the Acts of the Council of Hen. VII., he finds a decree . . . of the Council, 8 July, 23 Hen. VII., in favour of the said abbot.

6.

[The Act of 1487, St. 3 Hen. VII. c. 1. *Stat. Realm*, ii. 509. The confusion about this Act arises from the fact that it has been given a variety of titles. As originally printed by Caxton in 1489 it is headed "Yeuyng of lyuery etc." On the Statute Roll it is called "An Acte geving the Court of Star Chamber Authority to punysche dyvers Mydemeanors," while a marginal note has been interpolated, "Pro Camera Stellata." The latest discussion of the problem is Prof. Pollard's "Council, Star Chamber and Privy Council under the Tudors," *Eng. Hist. Rev.*, xxxvii. p. 337, which should be consulted.]

The Kyng oure Sovereyn Lord remembreth howe by onlawfull mayntenaunces gevyng of lyveres signes and tokyns and reteyndres by endentur promyses othes writyng or otherwise, enbraciaries of his subgettes, ontrue demeanynges of Shrevys in makyng of panelles and other ontrewe retournes, by takyng of money by jurryes, by greate riotts and unlawfull assemblez, the polacye and good rule of this realme is almost subdued, and for the nowne punyshement of this inconvenience and by occasion of the premyssis nothyng or lityll may be founde by enquerri, wherby the Lawes of the lond in execucion may take litell effecte, to

the encres of murdres robberies perjuries and unsuerties of all men lyvyng and losses of their londres and goodes, to the greate displeasure of Allmyghty God [Be yt therfor] ordyned for reformation of the premysses by thauctorite of [this] parliament, That the Chaunceller and Tresorer of Englund for the tyme beyng and Keper of the Kyngs pryvye Seall, or too of theym, calling to hym a Bisshopp and a temperall Lord of the Kynges most Honorable Councell, and the too chyeff Justices of the Kynges Benche and Comyn Place for the tyme beyng, or other too Justices in ther absence, uppon bill or informacion put to the seid Chaunceller, for the Kyng or any other, ageyn eny persone for eny mysbehavyng afore rehersed, have auctorite to call before theym by Wrytte or Pryvye seall the seid mysdoers, and theym and other by ther discreSSIONS to whome the trouthe may be knowen to examyn, and such as they fynd therein defectiff to punyssh theym after their demerites, after the forme and effecte of Statutes therof made, in like manner and forme as they shuld and ought to be punysshed if they were therof convycte after the due ordre of the lawe. And over that [be yt also] ordygned by thauctorite aforeseid, that the Justices of the Peas of every Shire of this Realme for the tyme beyng may do take by ther discreSSIONS an enquest, whereof every man shall have lands and tenementes to the yerly value of xl s. at the leest, to enquire of the concelementes of other enquests; taken afore theym and afore other, of such maters and offences as ar to be enquired and presented afore Justices of the Peas, wheroff complaynt shall be made by bill or billes aswell within fraunches as without; and yff eny such concelement be found of any enquest as is afore rehersed had or made within the yere [afore] the same concelement, every persone of the same enquest to be amerced for the same concelementes by

discreSSION of the same Justicez of the Peas; the seid amerciaments to be cessed in payn Sessions.

7.

[Judicial Interpretation of the Act. *Y.B. 8 Hen. VII.*, Pasch., pl. 7, f. 13.]

Note that in the year 3 Hen. VII.¹ there was rehearsed the statute which gives the Chancellor, Treasurer, Privy Seal, or two of them, calling to themselves one temporal and one spiritual lord of the King's Council and the Chief Justices, power to examine riots, maintenance: and noone judges except the Chancellor, Treasurer or Privy Seal or two of them, and the others are assistants and helpers not judges. And so all the judges agreed as it is in the Stat. 31 Ed. III. c. 12 of Error in the Exchequer which shall be reversed in the Exchequer Chamber by the Chancellor, and Treasurer calling to them two judges. And as it is in the statute which punishes pirates in the Chancery. But the Judges held in the first case, that it was error if the Chancellor, Treasurer etc. did not call the others, and did not act by their advice, because the statute lays down that limitation.

8.

[Letter from Wolsey to Henry VIII., August, 1517. *Lett. and Pap.*, ii. App. 38.]

. . . and for your realm, our Lord be thanked, it was never in such peace nor tranquillity; for all this summer I have had nother of reyut (riot), felony, ne forcible entry, but that your laws be in every place indifferently ministered

¹ ? 8 Hen. VII.

without leaning of any manner. Albeit there hath lately, as I am informed, been a fray betwixt Pygot your serjeant and Sir Andrew Windsor's servants, for the seisin of a ward whereto both they pretend titles: in the which fray one man was slain. I trust at the next term to learn them [the] law of the Star Chamber, that they shall ware how from thenceforth they shall redress their matter with their hands. They be both learned in the temporal law, and I doubt not good example shall ensue to see them learn the new law of the Star Chamber, which, Good willing, they shall have indifferently ministered to them according to their deserts.

9.

[Skelton's attack upon Wolsey's judicial methods. Skelton, *Works* (ed. A. Dyce, ii. p. 32), "Why come ye nat to Courte? "]

He is set so hye
In his ierarchy
Of frantyecke frenesy
And folysshe fantasy,
That in the Chambre of Starres
All maters there he marres;
Clappyng his rod on the borde,
No man dare speke a worde,
For he hathe all the sayenge,
Without any renayenge;
He rolleth in his recordes,
He sayth, How saye ye, my lordes?
Is nat my reason good?
Good euyn, good Robyn Hood!
Some say yes, and some
Syt styll as they were dom:

Thus thwarting ouer thom,
 He ruleth all the roste
 With braggyng and with bost;

[(b) Skelton, *Works* (ed. A. Dyce, ii. p. 36), "Why come ye nat to Courte?"]

For and this curre do gnar,
 They must stande all a far,
 To holde vp their hande at the bar.
 For all their noble blode
 He pluckes them by the hode,
 And shakes them by the eare,
 And brynges them in suche feare;
 He bayteth them lyke a bere,
 Lyke an oxe or a bull:
 Theyr wyttes, he saith, are dull;
 He sayth they haue no brayne
 Theyr astate to mayntayne;
 And maketh them to bow theyr kne
 Before his maieste.
 Juges of the kynges lawes,
 He countys them foles and dawes;
 Sergyantes of the coye eke,
 He sayth they are to seke
 In pletynge of theyr case
 At the Commune Place,
 Or at the Kynges Benche;
 He wryngeth them suche a wrenche,
 That all our lerned men
 Dare nat set theyr penne
 To plete a trew tryall
 Within Westmynster hall;
 In the Chauncery where he syttes,

But suche as he admyttes
 None so hardy to speke;
 He sayth, thou huddypeke,
 Thy lernynge is to lewde,
 Thy tongue is nat well thewde,
 To seke before our grace;
 And openly in that place
 He rages and he raues,
 And cals them cankerd knaues:
 Thus royally he dothe deale
 Vnder the kynges brode seale;
 And in the Checker he them cheks;
 In the Ster Chambre he noddiss and beks,
 And bereth him there so stowte,
 That no man dare rowte,
 Duke, erle, baron, nor lorde,
 But to his sentence must accorde;
 Whether he be knyght or squyre
 All men must folow his desyre.

E. THE MAINTENANCE OF LAW AND ORDER.

1.

[A diagnosis of the prevailing lawlessness, 1485. *Y.B. 1 Hen. VII.*, Mich., f. 3, pl. 3.]

And after dinner, all the Justices were at Blackfriars to discuss the king's business for the parliament. And several good statutes were mentioned, very advantageous for the kingdom if they could be carried out. These were the statutes compiled in the time of Edward IV. and sent into each county to the justices of the peace, to be proclaimed and enforced, viz. Winchester and Westminster

for robberies and felonies, the statute of riots, routs, and forcible entry, the statute of labourers and vagabonds, of tokens, and liveries, maintenance and embracery. And now they agreed that the Statute 23 Hen. VI. concerning Sheriffs &c. should be sent to them and then they would have enough, and if they were properly carried out, the law would run its course well. But the question was would they be carried out. And the Chief Justice said that the law would never be properly carried out until the Lords Spiritual and Temporal are of one mind for the love and fear they have of God or the King or both, to carry them out effectively. Thus when the King on his side, and the Lords on theirs, will do this every one else will quickly do it and if they do not they will be punished, and then all will be warned (by their example). For he said that in the time of Edward IV, when he was Attorney he saw all the lords sworn to keep and execute diligently the statutes which they with others had just drawn up by command of the King himself. And within an hour, while they were still in the Star Chamber, he saw the lords making retainers by oath, and swearing, and doing other things contrary to their above mentioned promises and oaths. Consequently oaths and swearing are of no use until they are in the aforesaid mind. And he said that he had told this to the king himself.

2.

[Example of Lawlessness. P.R.O. Star Chamber Proc., Hen. VII., no. 119.]

To the Kyng our soueraigne lorde.

Piteously complaynyth to your highnes your pore subiettes
and true liegemen Thomas Bowith Knyght and John

Tregyan gentelman Thatt where the seid Thomas and John there auncestres and predecessours hath byne peassablye seassid and possessid tyme owtt of mynd of sertayne londes and woodes callid bedocke wood yn the parish of Synt ladocke w^{tn} the counte of Cornnayll where as the seid Thomas and John hade sertayne workemen Colyars and oder yn the seid wood as yn Cuttyng downe parcell therof and makyng of Cole w^t the same There came qne callid Richard Trevele of the seid parish of Saynt ladock he bryngyng w^t hym oder riottis persons to the Number of fowre beyng harnysched bowys and arowys swerdes and boklers and oder vnlafull wepyngs yn maner and forme of men of Warre and drove a waye our seid workemen bette and ylle entretid them contrarie to the Kyngis peasse where vpon your seid Subiettes schowyng your highnes the said grevans hade your gracious letters vnder your preuy seall for the seid Richard Trevele and was delyuered hym the xxixth daye of October last past The seid Richard Trevele not onlye regardyng your high pleasure yn your seid letters contayned butt disobeyth the same & hath not aperid therontobuttalsocontynweyth yn his ylle doyng and sithyns that tyme hath broken downe a grett pece of the hegges & enclosure of the same woode to the grett greyff and anoy-aunce of your seid subiettes besechyng your highnes the premissis tenderly to considere and accordyng to the Course of your lawes to haue your further letters of Contempt for the seid Richard Trevele and your seid subiettes accordyng to ther dutie schall dayly praye for the preseruacon of your most Roiall estatt.

3.

[A presentment at the court of sessions, 10 October, 1495. *Records of the Borough of Nottingham*, III., p. 37.]

And they [the jurors] say, that Roger Torlaton, of Nottingham, in the County of the town of Nottingham, barber, William Chaworth, of the same town and County, hat-maker, George Bredon, of the same town and County, hat-maker, and William Johnson, of the same town and County, butcher, on Tuesday next after the feast of Saint Michael the Archangel, in the eleventh year of the reign of King Henry the Seventh, here at Nottingham aforesaid, were retained, and each of them was retained, with Henry, Lord Grey, knight, and they promised him to serve him and to take his part against all persons, our Lord the King excepted, against the form of the Statute in such case made and provided.

4.

[Trial by Jury. *Ital. Rel.*, p. 32.]

Nor are proceedings carried on in this country by the deposition of any one, or by writing, but by the opinion of men, both in criminal and civil causes. And if any one should claim a certain sum from another, and the debtor denies it, the civil judge would order that each of them should make choice of six arbitrators, and when the twelve are elected, the case they are to judge is propounded to them: after they have heard both parties, they are shut up in a room, without food or fire, or means of sitting down, and there they remain till the greater number have agreed upon their common verdict. But before it is pronounced each of them endeavours to defend the cause of him who named him, whether just or unjust; and those

who cannot bear the discomfort, yield to the more determined, for the sake of getting out sooner. And therefore the Italian merchants are gainers by this bad custom every time that they have a dispute with the English; for although the native arbitrators chosen by the English are very anxious to support the cause of their principal, before they are shut up, yet they cannot stand out as the Italians can, who are accustomed to fasting and privations, so that the final judgment is generally given in favour of the latter. This practice extends also to criminal causes, and any one may be accused of great and glaring crimes, and be put to the torture, though he may openly deny the truth of the accusation. But when the chief magistrate of the place has received notice of any such malefactor, he causes him immediately to be thrown into prison, and then twelve men of that place are elected, who must decide according to their consciences, whether the prisoner has or has not committed the crime of which he is accused, and if the greater number vote that he has, he is considered to be guilty. He is not, however, punished at that time; but it is necessary that twelve other men should be chosen, who must hear the cause over again; and if their verdict should agree with the former one, the days of the delinquent are brought to a close. It is the easiest thing in the world to get a person thrown into prison in this country; for every officer of justice, both civil and criminal, has the power of arresting any one, at the request of a private individual, and the accused person cannot be liberated without giving security, unless he be acquitted by the judgment of the twelve men above named; nor is there any punishment awarded for making a slanderous accusation. Such severe measures against criminals ought to keep the English in check, but, for all this, there is no

country in the world where there are so many thieves and robbers as in England; insomuch, that few venture to go alone in the country, excepting in the middle of the day, and fewer still in the towns at night, and least of all in London. Such is the bad effect that has arisen from an excellent cause.

5.

[Accusations against a Jury, c. 1490. P.R.O., Star Chamber Proc., Hen. VII., no. 132.]

To the Kyng oure leige lord and the lordes of his most honorabyll counsell.

Mekely besecheth your highnesse and the lordes of youre most honorable Councell your poore Oratours Thomas Jakson Prest and Petre Reynald servauntes unto Thomas Garthe Esquyer. That where as oon John Ernley Gentilman before the maior and thaldermen of the Cite of London late had affermed a bill originall upon the statute of Kyng Richard the secund ayenst your said Oratours surmytting by the same that your said besechers the xvijj day of Septembre the vth yere of your moost noble reign sovereign lorde shuld entre in ix meses w^t their appu(rtenaunces) of the said John Ernley set and liyng (w^t) in the parisssh of seint Olaves in the Old Jury of London where none entre was yeven by the lawe ayenst the forme of the said statute and to the damage of the said John Ernley of xl li. wherunto your said suppliauntes have answered and pleted as trouth was that they entred not contrarye to the said statute in maner and forme as the said John Ernley had declared Wherupon they were at an issue to trie whiche issue xij men (names given) . . . were empanelled and sworn whiche of their grete parcialitee and unlawfull

favour that then thei ought unto the said John Ernley wold geve no credence to eny evidence yeven unto theym for the parte of your said besechers howbeit the same Evidence was goode and (true) nor havynge any Respecte to god nor to their conscience past therm ayenst your said suppliauntes and gave therm an untrue veredict saying (that) the same your Oratours entred in the said ix meses contrarye to the forme of the said statute . . . and have geven therm excessive damage that is to say xvj li. for damage and xxvj s. viij d. for costes where your said besechers never entred nor claymed any title to the said londres ner never occupied the same londres ner toke any profites of the same.

[As no action can be taken against the jury in London they pray that the execution shall be respited until the case has been heard by the king and council.]

6.

[Letter from William Eleson to Sir Robert Plumpton, 12 February, 1498-1499. *Plumpton Corresp.*, p. 134.]

Right worshipful Sir, I recomend me to you. By your letter I understand William Babthorp will have a *nisi prius* at this next assizes. Sir, it is necessary for you to get a copy of the panel, and then to enquire if any of them or of their wyfes be sybb or allied to Wil. Babthorp, and yf any cause in them bee wherby they may be chalenged. And also to make labor to them that they appeare not, or els to be favorable to you according to right, and enform them of the matter as wel as ye can for their consciences.

7.

[An example of a recognisance, P.R.O. Close Roll, 19 Hen. VII., Part I. m. 37.]

Robert Willoughby de Broke, knight, recognises that he owes the lord king £500 to be paid to the said lord king, his heirs or assigns, on the feast of St. Michael the Archangel next coming. And if he does not pay he agrees that the said money shall be levied on his lands and goods in county of Devon and elsewhere within the kingdom of England, (Latin).

The condicion of this recognisaunce is such that if the said Robert Willoughby lord Broke and his houshold servauntis from hensforth observe and kepe the Kyngis peax ayenst Sir Thomas Brandon, Knyght, and his houshold servauntis that then this recognisaunce to be voide or ellis to stonde in his full strength and vertue.

8.

[Statute of Liveries, St. 19 Hen. VII. c. 14 (1504). *Stat. Realm*, ii. 658.]

The King our Sovereigne Lord callith to his remembrance that where before this tyme dyvers statutes, for punysshment of such persones that gyf or receyve lyveres, or that retheyne eny person or persones or be retheyned with any person or persones, . . . have be made and establysshed, and that notwithstanding dyvers persons have takyn uppon theym some to gyf and some to receyve lyveres and to retheyne and be retheyned . . . and lityll or nothing is or hath be doon for the punysshment of the offendours in that behalf, Wherefore our Sovereyne Lord the Kyng, . . . hath . . . enacted, that all his statutes and ordinaunces

afore this tyme made ayenst such as make unlauffull reteynours and such as so be reteyned, or that gif or receyve lyvere, be pleynty observed and kept and put in due execucion.

9.

[An Acte agaynst ryotts and unlawfull assemblies, St. 11 Hen. VII. c. 7 (1495). *Ibid.*, ii. 573.]

[The Commons pray that] It may therfor pleas youre Highnes of youre most lovyng disposicion that ye bere and owe to the comen wele of this youre land . . . to do ordeyne enacte and establissh, that what so ever persone or persones within this youre realme, of what estate degree or condicion he be, that hereafter unlauffully reyse assemble or lede youre people within this youre realme, without youre commaundement or auctorite of youre lawes, and committe any riotte that then if the party greved or any other persone in the Kingis behalf complayn to the Justices of the Peas within the countie where such riotte is doon, . . . or els if the seid riottours be endited therof, then therupon the seid Justices and every of theym have auctorite and pouer, in the next generall sessions of the Peas within the same countie to be holden after the compleynt so to theym made or inditement therof hadde afore the same [Justice,] to do make proclamacion that the seid maister or maisters principall or principallis leder or leders that unlauffully cause the seid people to gedre or rise, that they appere personelly at the next generall sessions of the peas after the seid proclamacion so made . . . at whiche day if the seid maister or maisters principall or principalles . . . appere, then he or they be put to answeere therunto if it seme to the seid Justices resonable, and be put to sufficient bail by reconisaunce before the seid

Justices to appere personelly from sessions to sessions unto tyme that the compleynt be discussed, And if he or they refuse so to doo then he or they be committed to warde ther to remayne till they will ;

10.

[An Acte concerning Coroners, St. 1 Hen. VIII. c. 7 (1510). *Stat. Realm.*, iii. 4.]

Wher as by a statute made at Westminster the thyrde yere of Kyng Henry the vijth yt was enacted that a Coroner shall have for his fee uppon every inquisicion taken uppon the vewe of the body slaine and murdred xij s. iiii d. of the goodes and catelles of hym that ys the sleyr or murderer ; Wher by the commen lawe a Coroner hadde nott nor ought nott to have eny thyng for ther office . . . syn whiche statute so made the Coroners have used that yf eny persone hathe happened to be slayne by myssaventure and not by no mannys hande, that they will not enquire uppon the vewe of the body so by myssaventer slayne excepte they have for their labour xij s. iiij d. which is contrarye to the commen lawe, and also to the statute afore reherced ; wherby greate inconvenience dothe dayly growe to the Kinges sugiectes for asmuch as often tymes the persone that ys so by myssaventer sleyn lyeth longe above the grounde unburyed to the great noyaunce of the Kynges leage people ; wherfore the Kyng . . . ordeigneth that uppon a request made to a coroner to come and enquire uppon the vewe of eny persone slayne drowned or otherwyse deade by mysaventure, the seid coroner diligently do his office . . . wythoute eny thing taking [theretofore].

11.

[An Act to prohibit sheriffs and others from making untrue proceedings against persons, St. 11 Hen. VII. c. 15 (1495). *Ibid.*, ii. 579.]

Be it therfor enacted . . . that noe Shirefs Undershirifs Shire Clerkis herafter nether any persone in their names, nor by ther commaundement shall take and entre noe playntes in to their bokis in no mannys name onlesse the partie playntif be in his propre persone present in the courtes or els by a sufficient attorney or deputie. . . .

12.

[An Act that Shreifes shall retorne sufficient Jurors. St. 11 Hen. VII. c. 26 (1495). *Ibid.*, ii. 590.]

[Be it enacted] . . . that it shalbe lefull to every Shiref of any of the seid counties to ympanell and somone xxiiij^{ti} laufull men of such inhabitauntes within the precincte of every of his or their tournes as owe suyte to the same tourne or tournes, and wherof every of the seid xxiiij^{ti} men have londes and tenementis of freehold to the yerely value of x s. over all charges, or londes and tenementis of copiholde to the yerely value of xiiij s. iiiij d. over all charges, within any of the seid counties where suche tourn or tournes is or be to be kepte, and so many theire to appere at the day of the tourn before the seid Shiref Undershiref or Clerke to enquiry of the articles of the seid tourn.

13.

[An Acte agaynst Perjury unlawfull mayntenaunce and corrupcion in officers. St. 11 Hen. VII. c. 25 (1495). *Ibid.*, ii. 589.]

The King oure Sovereign Lorde, wele understanding the haynous and detestable perjuries dailly commytted within

this realme in enquestes and juries, taken aswell betwixt his Highnes and other his subgettis, and partie and partie, as in enquestis of office, to the high displeasure of Allmyghty God and letting of admynystacion of justice, the whiche perjurie growith by unlauffull reteynders mayntenaunce embrasyng champertie and corrupcion of goode aswell of the Shirefs as of other officers, notwithstanding any lawes before this tyme made for the punysshment of such offendours: Wherfor the King . . . willeth and commaundeth, that all the seid lawes be duely put in execucion.

14.

[An Acte to admytt such persons as are poore to sue in formâ pauperis, St. 11 Hen. VII. c. 12 (1495). *Stat. Realm*, ii. 578.]

[Be it enacted] . . . that every poure persone or persones which have and hereafter shall have cause of accion or accions ayenst any persone or persones within the realme shall have, by the discrecion of the Chaunceller of this realme, for the tyme being writte or writtes originall and writtes of sub pena according to the nature of their causes, therfor nothing paieng to youre Highnes for the seales of the same, nor to any persone for the making of the same writte and writtes to be hereafter sued. . . . And after the seid writte or writtes be retorned, if it be afore the King in his Benche, the Justices ther shall assigne to the same poure persone or persones counsell lerned by their discrecions which shall geve their councelles nothing taking for the same, and in like wise the same Justices shall appoynte attorney and attorneies for the same poure persone and persones and all other officers requisite and necessarie to be hadde for the speede of the seid sutes to be hadde and made which shall doo their duties without any rewardes

for their councelles helpe and besynes in the same; and the same lawe and ordre shalbe observed and kepte of all suche suytes to be made afore the Kingis Justices of his comen place and Barons of his Eschequer and all other Justices in courtes of recorde where any suche suetis shall be.

15.

[Judicial administration and the poor. (a) Kingsford, *Chronicles of London*, p. 257.]

And the Mayre kept dyuers afternones the Court of Requestes, by meane wherof he ended many maters and variaunces hangyng atwene persones. And caused moch poore people to have their maters sped w^tout spence of money.

[(b) Hall, *Chronicle*, p. 585.]

The poore people perceaued that he [Wolsey] punished the ryche, then they complayned without number, and brought many an honest man to trouble and vexacion. And when the Cardinall at the last had perceaued their vntrue surmises and fayned complaintes for the most parte, he then wexed wery of herynge their causes, and ordeyned by the kynges commission, diuerse vnder courtes to here complaintes by bill of poore people. The one was kept in the white hall, the other before the kynges Almoner doctor Stokesley, a man y^t had more learning then discretion to be a iudge. The third was kept in the lord treasourers chamber beside the starre chamber, and y^e iiii at the rolles at after noone. These courtes were greatly haunted for a tyme, but at y^e last y^e people perceaued y^t much delay was vsed in these courtes, and few matters ended, and when they were ended, they bound no man by the law, then euery man was wery of them and resorted to the comon law.

BOOK III. ECCLESIASTICAL.

A. THE CROWN AND THE CHURCH.

1.

[Appointment of King's representative at the papal curia, 20 November, 1485. Campbell, *Materials*, i. 176 (Latin).]

Henry by the grace of God King of England and France and lord of Ireland, to the reverend father in Christ John, Bishop of Worcester, our chancellor, greeting. We command you that you cause to be made our letters patent under the great seal in form as follows. The King etc. to our beloved in Christ master John Dunmow doctor of civil law, greeting. Know that we, having full confidence in the Lord in your discretion, fidelity, and industry, have by the advice of our great council decreed, chosen, and created you, by these presents our true, lawful, and undisputed proctor, agent, factor, negotiator, and special legate with the emoluments and salary customary for such office, to prosecute in the Roman curia for us and in our name, all promotions of our clergy recommended by us to cathedral churches vacant for the time being: and to perform, negotiate, and expedite at the Apostolic see all our business touching any questions, with power to submit the necessary proofs: enjoining and firmly commanding all our lieges at the apostolic see whatever may be their rank or condition, to obey and assist you in the perform-

ance of the premisses with their wise counsel help and favour in a becoming manner.

2.

[Judicial opinion on the relation between the Crown and the Papacy, 6 February, 1486. *Y.B. 1 Hen. VII., Hil., pl. 10. f. 10.*]

On the Saturday next after the Purification of the Blessed Mary, the Chancellor, in the Parliament Chamber, asked the Judges what should be done about the alum taken by Englishmen from the Florentines here in England: for the Holy Father had ordered that all who had seized the alum of the Florentines were to be excommunicated, etc.

And it was stated by several of the Judges that when goods came into the country by the King's safe-conduct, the King ought to be the merchants' warranty that they will not be despoiled in his land especially by his lieges. And Master Hussey said that in the time of Edward IV. there was a legate at Calais, and he petitioned the King for his protection to come into his realm. And then, in full Council, before the Lords and the Judges, it was asked what should be done. And they said that the Legate should be told that if he would swear that he brought nothing with him which would be derogatory to the King and his Crown he should have a permit, and that otherwise he should not. And the Bishop of Ely accordingly made the legate (who is now here) swear at Calais that he had nothing which would be prejudicial to the King and his Crown. And he also said that an important industry in this country was the manufacture of cloth which could not be carried on without alum. Wherefore etc.

And the Chief Justice said that in the time of Edward the First the Pope sent letters to the said king to make a peace with Scotland which was held of him, and to put the matter before him [the Pope]. And the king, by the advice of his council, wrote to the Pope that there were no persons in the temporality above him but that he was immediate to God. Wherefore etc. And all the Lords wrote to the Pope that even if the king wished to surrender to him the right which he has in Scotland, it could not be done for he who is king of England is *ipso facto* lord of Scotland.

And the Bishop of London said that in the time of Henry VI. he saw that when the Pope sent letters which were in derogation of the king etc., and the spiritual lords dared not discuss them, Humphrey Duke of Gloucester took the letters and put them in the fire, and they were burnt. And then, in conclusion, they (the Judges) decided that the goods should be restored: but they wished to consider the matter.

3.

[Letter from Persio Malvezzi, Papal Envoy, to Innocent VIII., 9 May, 1489. *Cal. State Papers, Venice*, i. 553.]

We have, moreover, opened the moneybox which the King was pleased to have at his court; we found in it 11*l.* 11*s.*, which result made our heart sink within us, for there were present—the King, the Queen, the mother of the King and the mother of the Queen, besides dukes, earls, and marquises, and other lords and ambassadors, so that we expected to have had much more.

Down to this day we have received 27 dispensations, for which we have had 49*l.* of English money. We have paid the whole sum into the bank, and from time to time will

remit the bills of exchange, according to circumstances. We hope to do better for the future with these dispensations, as the thing is already known everywhere.

4.

[Letter from the Milanese ambassador to the Duke of Milan, 8 September, 1497. *Cal. State Papers, Milan*, 540.]

The pope is entitled to much praise, for he loves the king cordially, and strengthens his power by ecclesiastical censures, so that at all times rebels are excommunicated. The efficacy of these censures is now felt by the Cornishmen, who are in this trouble that all who eat grain garnered since the rebellion, or drink beer brewed with this year's crops, die as if they had taken poison, and hence it is publicly reported that the king is under the direct protection of Almighty God.

5.

[(a) The oath of a Bishop elect. *Registrum Ricardi Mayew* (Cant. and York Soc., xxvii. p. 5).]

I, Richard bishop of Hereford, from this time onwards will be faithful and obedient to the blessed Peter and to the Holy Roman Apostolic Church, and to my lord Pope Julius II. and his successors canonically elected. I will not be a party either actively or passively to schemes for the loss of their lives or limbs, or their capture by treachery. I will not wittingly reveal, to their injury, the instructions which are to be entrusted to me either by them or their messengers or letters. I will assist them to retain and defend against all men the Roman papacy and the royal power of St. Peter, saving my order. I will deal honourably with the legate of the Apostolic See, in his comings

and goings, and I will assist him in his needs. I will come to the synod when summoned, unless prevented by a canonical inhibition. I will visit the home of the Apostles at Rome, either personally or by proxy, once in two years should my court be this side of the mountains, but once in three years if beyond the mountains, unless absolved by apostolic licence. I will not sell nor give away nor pledge nor subinfeudate nor alienate in any way without the consent of the Roman pontiff, the possessions belonging to my episcopal office. So help me God and the holy Gospels.

[(b) Oath taken for restoration of temporalities. *Lett. and Pap.*, i. 969, g. 5.]

I shall be faithful and true, and faith and truth I shall bear to the King our sovereign lord, and to his heirs kings of England: and truly I shall knowlege the services due of the temporalities of my monastery, which I claim to hold of our said sovereign lord the King, and which he giveth and yieldeth me; and to him and his commandments in that that to me attaineth and belongeth for my temporalities of my said monastery, I shall be obeisant. So help me God and his saints.

B. CHURCH WEALTH.

1.

[A description of the state of the church *circa* 1500. *Ital. Rel.*, p. 40.]

besides their own lands, they [the Lords Spiritual] possess the actual tenth of all the produce of the earth, and of every animal; and anyone living in his own house pays the tithe of everything to the Church, besides the third part of every inheritance, which has been mentioned before.

Nor is the saying that is so common in this country without cause,—“that the priests are one of the three happy generations of the world.”

Although the Church of England is so rich, there are not more than two archbishops, Canterbury and York. In the province of the former, there are thirteen English and four Welsh bishops; in that of the latter, only two. But the number of religious houses in England, both for men and women is prodigious, and the greater proportion are of royal foundation. Nor can I omit to mention here, that in the diocese of Bath there are two convents, not above twelve miles distant from each other; the one for monks, named Glasberi, and the other for nuns, named Santsberi, both of the order of St. Benedict. The abbot of the former has an annual income of more than 25,000 crowns, and the abbess of the other above 10,000; and the English say among themselves, that “the finest match that could be made in all England, would be between that abbot and abbess!” However, there are few of the monasteries of England that send to Rome for their bulls; nor are the deaneries, or canonries, or even the parochial livings, of which it is said that there are 52,000, in the gift of the crown. I, for my part, believe that the English priests would desire nothing better than what they have got, were it not that they are obliged to assist the crown in time of war, and also to keep many poor gentlemen, who are left beggars in consequence of the inheritance devolving to the eldest son. And if the bishops were to decline this expense, they would be considered infamous, nor do I believe that they would be safe in their own churches; which churches, although so rich . . . are not in fine cities, for there are scarcely any towns of importance in the kingdom, excepting these two: Bristol, a seaport to

the west, and Boraco otherwise York, which is on the borders of Scotland; besides London to the south.

2.

[Tyndale's criticism of the church written in 1528. *Doctrinal Treatises. The Obedience of a Christian Man* (Parker Soc.), p. 236.]

Mark well how many parsonages or vicarages are there in the realm, which at the least have a plow land apiece. Then note the lands of bishops, abbots, priors, nuns, knights of St. John's, cathedral churches, colleges, chauntries, and free-chapels. For though the house fall in decay, and the ordinance of the founder be lost, yet will not they lose the lands. What cometh once in, may never more out. They make a free-chapel of it; so that he which enjoyeth it shall do nought therefore. Besides all this, how many chaplains do gentlemen find at their own cost, in their houses? How many sing for souls, by testaments? Then the proving of testaments, the prizing of goods, the bishop of Canterbury's prerogative; is that not much through the realm in a year? Four offering days, and privy tithes. There is no servant, but that he shall pay somewhat of his wages. None shall receive the body of Christ at Easter, be he never so poor a beggar, or never so young a lad or maid, but they must pay somewhat for it.

Then mortuaries for forgotten tithes, as they say. And yet what parson or vicar is there that will forget to have a pigeon-house, to peck up somewhat both at sowing time and harvest, when corn is ripe? They will forget nothing. No man shall die in their debt: or if any man do, he shall pay it when he is dead. They will lose nothing. Why? It is God's; it is not theirs. It is St. Hubert's rents, St. Alban's lands, St. Edmond's right, St. Peter's patrimony,

say they, and none of ours. Item, if a man die in another man's parish, besides that he must pay at home a mortuary for forgotten tithes, he must there pay also the best that he there hath; whether it be an horse of twenty pound, or how good soever he be; either a chain of gold of an hundred marks, or five hundred pounds, if it so chance. It is much, verily, for so little pains-taking in confession, and in ministering the sacraments. Then bead rolls. Item chrysomes, churching, banns, weddings, offering at weddings, offering at buryings, offering to images, offering of wax and lights, which come to their vantage; besides the superstitious waste of wax in torches and tapers throughout the land.

Then brotherhoods and pardoners. What get they also by confessions? Yea, and many enjoin penance, to give a certain [sum] for to have so many masses said, and desire to provide a chaplain themselves; soul-masses, dirges, month-minds, year-minds, All-souls-day, and trentals. The mother church, and the high altar, must have somewhat in every testament. Offerings at priests' first masses. Item, no man is professed, of whatsoever religion it be, but he must bring somewhat. The hallowing, or rather conjuring of churches, chapels, altars, super-altars, chalice, vestments and bells. Then book, bell, candlestick, organs, chalice, vestments, copes, altar-cloths, surplices, towels, basins, ewers, ship, censer, and all manner ornament, must be found them freely; they will not give a mite therunto. Last of all, what swarms of begging friars are there! The parson sheareth, the vicar shaveth, the parish priest polleth, the friar scrapeth, and the pardoner pareth; we lack but a butcher to pull off the skin.

3.

[An attack on the clergy. This extract is taken from the curious work supposed to be written by Simon Fish *circa* 1529. *Supplicacyon for the Beggars* (Early Eng. Text Soc.).]

[p. 1] And who is abill to nombre this idell, rauinous sort, [the clergy] whiche (setting all laboure a side) haue begged so importunatly that they haue gotten ynto theyre hondes more then the therd part of all youre Realme. The goodliest lordshippes, maners, londes, and territories, are theyrs. Besides this, they haue the tenth part of all the corne, medowe, pasture, grasse, wolfe, coltes, calues, lambes, pigges, gese, and chickens. Ouer and bisides, the tenth part of euery seruantes wages, the tenth part of the wolfe, milke, hony, waxe, chese, and butter. Ye, and they loke so narrowly vppon theyre proufittes, that the poore wyues must be countable to theym of euery tenth eg, or elles she gettith not her ryghtes at ester, shalbe taken as an heretike. hereto haue they their foure offering daies. whate money pull they yn by probates of testamentes, priuy tithes, and by mennes offeringes to theyre pilgremages, and at theyre first masses? Euery man and childe that is buried, must pay sumwhat for masses and diriges to be song for him, or elles they will accuse the dedes frendes and executours of heresie. . . .

[p. 4] And whate do al these gredy sort of sturdy, idell, holy theues, with these yerely exactions that they take of the people? Truely nothing but exempt them silues from thobedience of your grace. Nothing but translate all rule, power, lordshippe, auctorite, obedience, and dignitie, from your grace vnto them. . . .

[p. 8] Whate remedy: make lawes ageynst them? I am yn doubt whether ye be able: Are they not stronger

in your owne parliament house then your silfe ? whate a nombre of Bisshopes, abbotes, and priours, are lordes of your parliament ? are not all the lerned men in your realme in fee with them, to speake yn your parliament house for them ageinst your crowne, dignite, and comon welth of your realme ; a fewe of youre owne lerned counsell onely excepted ? whate lawe can be made ageinst them that may be aduaylable ?

C. ECCLESIASTICAL PRIVILEGES.

1.

[The judicial attitude towards ecclesiastical privileges, 1484-86. Y.B. 1 Hen. VII., Hil., pl. 11. f. 10.]

The same day there came the Abbot of Westminster with his counsel, and he showed through Doctor Coke the privileges of his place etc. And in the end he was advised by the Lords Spiritual and the Judges that it was not wise for him to allow his franchises and liberties to be brought into discussion beyond safeguarding his franchises and liberties and seeing that they were duly kept. . . . And all this arose from Stat. 50 Ed. III. and 7 Rich. II. concerning those who flee into sanctuaries and make gifts of their lands or goods and henceforth live in the franchises thereby defrauding their creditors. These statutes the King had enlarged so that execution will be carried out as well on lands and tenements put in feoffment to their use *bona fide* as on those put in feoffment by collusion.

And the opinion was that he should proceed with the making of the said article in amendment of the said statutes.

2.

[The sequel to this judicial decision. An Acte against fraudulent deeds of gift, S. 3 Hen. VII. c. 4. *Stat. Realm*, ii. 513.]

Where oftymes dedes of gyfte of goodes and catall be made, to thentent to defraude ther creditours of their duties, and that persone or persones that maketh the seid dede of gyfte goth to seyntwarie or other places privyleged, and occupieth and levith with the seid goodis and catalles, theire creditours beyng unpayed, That yt be ordyned enacted and establisshed . . . that all dedes of gyfte of goodes and catalles, made or to be made of trust to thuse of that persone or persones that made the same dede of gyfte, be voide and of non effecte.

3.

[Sanctuary rights. *Ital. Rel.*, p. 34.]

The clergy are they who have the supreme sway over the country, both in peace and war. Amongst other things they have provided that a number of sacred places in the kingdom should serve for the refuge and escape of all delinquents: and no one, were he a traitor to the crown, or had he practised against the king's own person, can be taken out of these by force. And a villain of this kind, who, for some great excess that he has committed, has been obliged to take refuge in one of these sacred places, often goes out of it to brawl in the public streets, and then, returning to it, escapes with impunity, for every fresh offence he may have been guilty of. This is no detriment to the purses of the priests, nor to the other perpetual sanctuaries: but every church is a sanctuary for forty days: and, if a thief or murderer who has taken refuge in one, cannot leave it in safety during those forty days, he gives

notice that he wishes to leave England. In which case, being stripped to the shirt by the chief magistrate of the place, and a crucifix placed in his hand, he is conducted along the road to the sea, where, if he finds a passage, he may go with a "God speed you!" But if he should not find one, he walks into the sea up to the throat, and three times asks for a passage: and this is repeated till a ship appears, which comes for him, and so he departs in safety. It is not unamusing to hear how the women and children lament over the misfortune of these exiles, asking "how they can live so destitute out of England;" adding moreover that "they had better have died than go out of the world," as if England were the whole world!

4.

[A case of ordinary sanctuary and non-fulfilment of the pledge of abjuration. P.R.O. Coram Rege Roll, Mich., 3 Hen. VII., rex, m. 8.]

At another time, viz. the 19th March, 1 Hen. VII., at London, Thomas White formerly of Cleyhanger in the county of Hereford, Yoman, betook himself to the church of All Saints in the Wall, situated in the ward of Bread Street, London, in order to have the immunity and safety of the Holy Roman Church for a certain felony previously committed by him. And he asked that the Coroner of the said lord king in the aforesaid city should be brought to him. Whereupon Thomas Butside, the king's coroner in the city of London, came to the said Thomas White in the said church on the said day and year. And the said Thomas White in the presence of the said coroner in the said church on the said day and year voluntarily admitted that on the 26 December in the twenty second year of the reign of the late King Edward IV. he feloniously as a

felon of the said late king made an assault on one John Carter late of Cleyhanger, Yoman, in the vill of Cleyhanger county Hereford, with force and arms, to wit, with a stick called a bill worth 12d. which the said Thomas White then and there had and held in his hands, and then and there with that stick feloniously killed and murdered the said John Carter. And for that felony the said Thomas White on the 9th March aforesaid sought from the coroner that he might abjure the kingdom of England. Thereupon the said Thomas White then and there abjured the kingdom in the presence of the coroner, never to return into the same kingdom without the special permission of the lord king. Thereupon there was assigned to the same Thomas White the port of Winchelsea in the county of Kent from which to go away with a wooden cross in his right hand as the law and custom requires.

[This statement is the preliminary part of an indictment in the King's Bench. It appears that White had not abjured the country according to his oath, so he was indicted in the King's Bench. He could give no justification for his continued presence in the country and was sentenced to be hanged.]

5.

[The case of Humphrey Stafford is an indication of the new attitude towards sanctuary privileges: and marks the beginning of a policy of a gradual reduction of the sphere in which sanctuary rights could be claimed. *Y.B. 1 Hen. VII.*, Trin., pl. 1. f. 25.]

The case was as follows. Humfrey Stafford Esquire, who was attainted of high treason in the Parliament held on 27 January, 1 Hen. VII, took sanctuary at Colchester, and later, in the same month of that first year, came out of sanctuary to the counties of Warwick and Worcester

where he levied war against the king and would have subdued the king. And when he saw that he would not profit by this, and that he would be captured, he fled to Culnham near Abingdon in the county of Oxford claiming it as a sanctuary and franchise for the safety of his life. Afterwards he was taken out and brought to Worcester where an Oyer and Terminer was being held.

[His claim for sanctuary rights was discussed in the Exchequer chamber
by all the Judges.]

And it was held by all of them that the prescription of such privileged places of safety could not be upheld in such cases as treason, which is so high and touches the person of the King, without a plea and foundation, and this must be by a royal grant.

6.

[Benefit of Clergy. 29 June, 1512. Commission to John Bachiler, Vicar of Wenlock and others, to take charge of clerks convicted by secular courts. *Registrum Ricardi Mayew* (Cant. and York Soc.), p. 143 (Latin).]

On the last day of June, in the aforesaid year, letters of commission were issued to Master John Bachiler, vicar of Wenlock magna, John Butteler, vicar of Etone, John Lloyd rector of Monslow and Henry Synger and to each of them conjointly and individually, to claim before the secular judges clerks convict or to be convict of crimes, and to deliver them from death according to the sacred canons, the laws and the laudable customs of this realm of England.

7.

[An Acte to take awaye the benefytt of Clergye from certayne persons,
St. 4 Hen. VII. c. 13 (1489). *Stat. Realm*, II. 538.]

Where as upon trust of privilege of the Church divers persones lettred hath ben the more bold to committe murdre rape robbery thefte and all othre myschevous dedys, bicause they have ben continually admitted to the benefice of the clergie as ofte as they did offend in any of the premisses: In avoiding of such presumptuous boldnes, be it enacted ordeyned and stablissed by thauctorite of this present parliament, that every personè not being within orders, whiche onys hath ben admytted to the benefice of his clergie, eftsonys arayned of eny suche offence, be not admitted to have the benefice or privilege of his clergie; And that every suche persone so convicted for murdre, to be marked with a M. upon the brawne of the left thumb, and if he be for eny othre felony, the same persone to be marked with a T. in the same place of the thumb, and theis markes to be made by the Gaillour openly in the courte before the Jugge, er that suche persone be delivered to the Ordinary.

8.

[The exaction of Mortuary fees. W. H. Hale, *Precedents and Proceedings in Criminal Causes*.]

p. 71. (1501) John Hamond is reported to the office because he refused to pay a mortuary to the curate of Saint Clement without the Bar, viz. a cloak of violet: he was cited and appeared on 3rd. April, and refused the article. He has until Monday next to purge himself by the oaths of four neighbours.

p. 75. (1502) The vicar [of All Saints, Barking,] refused to bury the body of James Jonson there unless first a mortuary was extorted, though no mortuary is due to him in this case according to the custom in the city of London.¹

9.

[The Case of Richard Hunne. (a) Hall, *Chronicle*, p. 573.]

The beginning of this matter must be shewed for ye folowing of ye consequent: for this Hun had a child y^t died in his house being an infant, the Curate claimed ye beryng shete, for a mortuary. Hun answered y^t the infant had no propertie in the shete whervpon the priest ascited him in the spiritual courte, he taking to him good counsayll, sued the Curate, in a preminire, and when the prestes hard of this, they did so much of malice that they accused him of heresy, and brought him to the lollers tower and ther was founde deed as you hard.

[(b) The verdict of the Jury at the inquest on Hunne's body. *The enquire and verdite of the quest panneld of the death of Richard Hunne*. B.M. 6495, a. 27, 2 last pp. Also Hall, *Chronicle*, p. 580. For a critical analysis of the sources, *vide* Miss E. Jeffries Davies, "The Authorities for the Case of Richard Hunne," *Eng. Hist. Review*, xxx. p. 477.]

[The Jury] saye upon there othe that where the saide Richard Hune by the commaundement of Richard busard Busshop of London was enprisoned and brought to holde

¹Cp. *Lett. and Pap.*, i. 3602. Complaints of the inhabitants of London against the exactions of the curates there, viz.: twopence demanded for the two tapers at mass: exorbitant fees for marriages, burials, month's minds, for burial in the choir, for churchings, for friends prayed for in the bede roll, for howsell at Easter, for devotions on divers days, for brotherhoods kept in the church, and for leases of church lands. [But the original MS. is missing.]

in a prisone of the saide Busshoppes called lolars tower
 lyng in the cathedral church of S. Paule in London in the
 parisshe of S. Gregorie in the warde of baynerd castell
 affore saide William Horsey of Londoñ clarcke otherwise
 called William Hersie Chaunceler to Richard busshop
 of London *and* one Charles Joseph late of London
 somner *and* John Spalding of London otherwise called
 John belringer felonouslie as felones to oure lord the
 Kyng with force and armes against the peace of oure
 sofferaine Lord the Kyng *and* dignitie of his crowne the
 iiij of daye December the yere of the raigne of oure sofferaine
 Lord the vj afforsaide of theire greate malice at ye parisshe
 of sainte Gregorie afforsaide upon the saide Richard
 Hune made a fraye *and* the same Richard Hune felon-
 ouslie strangelde *and* smorderde *and* also the neck they
 did breake of the saide Richarde Hune *and* there felonouslie
 slewe hym and morthered hym *and* also the bodie of the
 saide Richard Hune afterward the same iiij day yere place
 parisshe *and* warde afforsaide w^t the proper gyrdell of the
 same Richard Hune of sylcke blacke of coloure of the
 value of xii pence after his deeth upon a hoke dryuen into
 a pece of tymber in the wal of the presonne afforsaide
 made fast *and* so hanged hym againste the peace of oure
 sofferaine Lorde the Kyng.

[*(c)* An extract from a letter from the Bishop of London to Wolsey.
 B.M. 6495, a. 27, p. 14. Hall, p. 579.]

[The Bishop prays that the charge against Horsey shall
 be examined by unbiassed persons] for assured am I if my
 Chaunceler be tryed by any xij men in London they be so
 maliciouslie set in favorem hereticæ prauitatis, that is ar
 so set upon the favoure of heresie that they will cast and
 condemne my clarcke thowght he war as innocent as Abel.

D. ECCLESIASTICAL DISCIPLINE.

1.

[An Acte for Busshopps to punnysh Priestes and other religious men for dishonest lyffe. St. 1 Hen. VII. c. iv. (1485). *Stat. Realm*, ii. 500.]

For the more sure and likly reformation of preestis clerkys and religious men culpable or by their demerites openly noised of incontinent lyvyng in their bodies contrarie to their ordre Be it enacted. . . . That it be laufull to all Archebissshops and Bissshops, and othre Ordinaries havying episcopall jurisdiccon, to punnysshe and chastice such preestis clerkys and religious men beyng within the boundys of their jurisdiccon, as shall be convicte afore theym, by examinacion and other lawfull proeff requisite by the lawe of the Church, of avoutrie fornicacion incest or eny other fleshely incontinency, by commyttyng theym to warde and prisoun there to abide for suche tyme as shalbe thought to their discrecions convenient for the qualite and quantite of their trespasses; And that noon of the seid Archebissshops Bissshopps or other Ordinaries aforeseid be therfore chargeable of to or uppon any accion of fals or wrongfull imprisonment, but that they be utterly therof discharged in ony of the cases aforeseid by virtue of this acte.

2.

[Visitation of Southwell Minster, 20 April, 1506. Leach, *Visitation of Southwell Minster* (Camd. Soc.), p. 78.]

Firstly, it is discovered in this visitation that vicars choral and chantry priests do not attend divine offices in the choir as they should do, and particularly that they come late to prime and other canonical hours.

Some of the brotherhood absent themselves from choir at matins in the intervals.

The bookmarkers in the books are put inside the books and not outside, so that the books are becoming torn and are depreciating in value.

They do not make the proper pause in singing psalms, especially in the middle of the psalms, and do not sing them distinctly, especially in Lent.

Many gossip and laugh in choir during divine service, against the rules of the church on this point.

Choirmasters frequently step down from the choir in their copes, and walk about in them in chapel and in the aisles of the church outside the choir, especially during matins.

The correct order is not maintained in processions neither with regard to the advance nor the order, but they walk in a crowd and not singly and in line.

The correct bowing and turning is not observed in the choir at the beginning of the canonical hours, nor at the 'Glory to the Father' nor at the 'Glory to Thee, O Lord' nor at Confession.

. . . Master Richard Penketh often blows his nose in the choir so vigorously that it bleeds, to the nuisance of the other vicars: and further, he spits too far from himself, sometimes in to the face of the choirmaster.

The same Master Richard, when he was choirmaster, often left the choir in his cope. He promises to amend his ways for the future.

Master John Bekyrke, when he is officiating, begins the 'O God make speed to save us' and leaves the choir until the time when the prayers for prime begin, and the little chapter for the hours. It has been noticed by many.

The same Master John spits too much, especially on the

books, whereby the books are spoiled. He promises to amend his ways in future.

3.

[A sidelight on the state of one monastery is given in the following Star Chamber petition, 1519-20. *Lancashire and Cheshire Cases in the Star Chamber*, i. 129.]

To the kyng our soveraign lorde. Sheweth your true liege man Giles Huncote, brother of one Dan Ottewell, late monke in the abbey of Combermere, co. Chester, that where, on the 11th of Feb. 11 H. VIII. [1519-20] one John Jenyns, being then household servant with the abbot of the seid place, occupying the fete of tanner's craft with the seid abbot, with a dagger stroke the seid monke to the hert, and slew him out of hand. Whereuppon fresshe sute was made by oon Henry Watson, then servant to the seid abbot, to have taken the same murdrer, who resorted unto Thomas Hamond, the prior, ther beyng with the seid prior one Dan Edmond, a monk, [and others] servantes to the seid abbot, which had brought the body of the seid dead monke into a chambre of the seid abbey, and leid him uppon a bed in his clothes; the prior refused to have the seid murdrer taken, saying: "This abbey is allredy in an evyll name for usyng of mysrule." And therefore he wold have this murdre kept secret, and that it should not be opynly knowen, for then the abbey should be undone for ever. So he desired those present to kepe counsell, and caused them to be sworn uppon a boke to concele the same. And afterwards the murdrer was kept in the abbey, and used the occupation of a barker there for half a yere and more. About an 8 weekes past oon Thomas Sounde, oon of the yemen of your most honorable crown, havyng

understandyng of the seid murdre and how the murdrer was kepte there, arrested hym of suspencion of felony and brought hym to your geale of Chester, where he now remayneth in prison. But he cannot be indicted because ytt is soo borne by dyvers persons of the seid shire. Wherefore the complainant begs a commission. . . .

E. HERESY.

1.

[Some heretical opinions recanted by Stephen Swallow before the Archbishop of Canterbury, 3 July, 1489. *Literæ Cantuarienses* (Rolls Series), iii. p. 312.]

That in the sacrament of the Auter remaynyth the substaunce of materiall brede and in like wyse of wyne after the consecracion, and that Crist is not in the same sacrament realy in his owne bodely presence, and so in the same sacrament is not the very body of Crist. Also that baptime, confirmacion, orders, penaunce, matrimony, and all sacraments of the Church be voyde and of none effect. Also that the sacrament of baptime is not necessary to the salvacion of a childe borne betwene a Cristen man and a Cristen woman, nor he nedeth not to be cristenid. Also that the sowle of a childe borne ded is as good as the sowle of a childe levyng cristenid. Also if a man be contrite in his hert, and make his confession secretly and inwardly to God, that than all outward confession by mowth is superflue and unprofitabill. Also that the Pope is a old hoore, sittying upon many waters, havynge a cuppe of poyson in his hande. Also that the Pope is Antecrist, and all Cardinalls, Archebisshoppes, Bisshoppis, Prests, and Religious men be the disciples of Antecrist. Also that pardon grantid by the Pope,

Cardinallis, Archebisshoppis, or Bishoppis, awaylyth not mannys sowle; for the soule of a man or woman immediately after it is departid oute of the body goith forth with unto Hevyn or to Helle, for there is no Purgatory. Also that the Church of Rome is the Sinagoge of Sathan, and the Pope is not the Vicar of Crist. Also that if Archebisshop, Bisshop, or Prest, be in dedely synne, he hath no poore to consecrate, to cristen, nor to minystre any other sacrament.

2.

[An abjuration of heresy by John Croft of Eardisley, 1505. *Registrum Ricardi Mayew* (Cant. and York Soc.), p. 66.]

In the name of God, Amen. I, John Crofte, of the paryshe of Erdisley, withyn the diocese of Hereford, wilfully knowlege before you, maysters Owen Pole, John Wardroper, and Richard Judde, commissaries of the reverend father in Godde, Richard, byshop of Hereford, in this behalfe lawfully assigned and deputed, that I have hadde in my ward and keypyng diverse bookys conteynyng heresies and errouris ageyn Cristen feyth and the determination of all holy church, which bookys I have radde and declared oftyn tymes prively and opynly, holidays and festfull dayes, before many diverse persons, redyng, declaring and techyng agaynst the blessed sacrament of the awter othirwise then me oghte to have done, also agaynste the sacrament of confession to prestis and penance for satisfaction of syn, also agaynst the solemnization of the sacrament of matrimony, callyng it exorzismes and coninzations. Also, I have redde and declared agaynstoure holy father, the pope, showyng that he hath not the power of byndyng and lowsyng that Criste gave to Petur,

but in usurpyng that power upon him he makyth hymselfe Antecriste. Also I have redde and taughte agayn the veneration and worshipyng of images standyng in churchis, calling them maummetis, and agayn the shrynyng of seyntis bonys in goold and sylver, and hangyng aboute thaym the same. These errouris, heresies, and false opynyons afore rehearsed, dampned and reproved by autorite of all holy church, in especiall, and all other in generall, I forswere, abjure, and forsake, . . .

[(b) Abjuration of Thomas Hygons, 1509. *Registrum Ricardi Mayew.* (Cant. and York Soc.), p. 109.]

In the name of God, Amen. I, Thomas Hygons of Wolaston, late of Newland, and last of all workyng in Micheldeane, in the diocese of Hereford, knowledge before yow reverend fadir in God, Richard, bushoppe of Hereford, my ordinarie, that I have had suspect communication of late in the hows of Thomas Nassh, of Michledeane, before diverse men and women, unavised and of my slipri tong saiing that a carpinter cowde make a howse but that the hows could not make the carpinter, which causid me to be diffamid of heresy in the foresaide placis and somewhat suspect against the most worthiest sacrament of the awter. Also I saide when oon Spenser and Elyn Griffith were brent for heretikis at Lidney, abowt xii yeris past, hit was saide that when doctor Stremor prechid iff the saide Spenser had a pulpite before hym, Spenser wold have overcome the doctor with conyngel, which caused me to be sumwhat suspect of favering the foresaide heretik. Wherefore with my owne free will, not compellid thereto, all heresies, errours, and false opinions damnid and reprovid by auctoritie of holy church in generall, I foreswere, abjure, and forsake. . . .

3.

[Punishment of heresy. (a) 1493, Hale, *Precedents and Proceedings*, p. 36.]

John Bowkyn, cobbeler, cherishes heretical opinions, holding a candle in his hand and saying before witnesses, viz. Robert Wade, John Merefield and Gyles Patenson, as this candill doyth vaad and gooeth out, lykwyse my soolle shall goo and assend to hevyn. He appeared on the last day of March and denied the article, and he has until the Monday next following, the seventh, for purgation.

[(b) 28 April, 1494. Kingsford, *Chronicles of London*, p. 200.]

Also this yere the xxviiij day of Aprill was brent in Smythfeld an old woman, abowte the age of iiij^{xx} yer and mor, called Johan Bowghton, which was there brent for many heresies to the number of ix Articles of heresy. And neuer wold turne from the said heresies for noon Exortacion, but in the said false and heronyous opynyons dyed.

[(c) 9 October, 1496. *Ibid.*, p. 211.]

Also the Sondag next before at Powles Crosse stood iiij Lollers w^t the Bookes of their lore hangyng abowte theym, which bookes wer, at the tyme of the Sermond, there brent with the ffagottes that the said lollers bar. And among their Erronyous oppynyons one was, that the Sacrament of the Awter was but Materiall breed; And an other was that it was lefull for a man and woman to be joyned in Maryage all the tymes of the yere, and no season except.

4.

[Extract from a letter from Erasmus to Ammonius. Allen, *Letters of Erasmus*, i. p. 481. Translated in F. M. Nichols' *Epistles of Erasmus*, ii. p. 40.]

Jupiter is very wrath with us; it rains by day and night, almost incessantly. The plague has almost reached the height of its cruelty. But famine—a calamity no less severe than plague—will follow unless the government find some remedy. I do not wonder that the price of faggots has gone up: many heretics provide us with a holocaust each day, yet more spring up. The brother of my servant Thomas, more of a log than a man, is founding a sect, if you please, and has his disciples!

5.

[An extract to illustrate Henry's book, *Assertio Septem Sacramentorum*: or An Assertion of the Seven Sacraments against Martin Luther (ed. 1687), p. 1. Some slight emendations have been made.]

But what this new Saint,¹ (who refers all things to the Holy Spirit, which cannot brook any thing of falsehood) did then write with a simple intention, is easily discover'd; for as soon as he had anything of wholesom advice given him, he immediately vomited his malediction against those who endeavour'd his good, reviling them with reproaches and quarrels [i.e. contumelies]; for which it is worth our while to see what height of folly he is come to at last. He confess'd before, that indulgences were good, at least to absolve us, besides the crime, from the punishments also which should be enjoyn'd us by the order of the church, or by our particular

¹ *I.e.* Luther.

priest: but now it was not by learning (as he says himself), but by meer malice that he wrought; and contradicting himself, he condemns indulgences; and says, That they are nothing but meer impostures, fit only to destroy peoples money, and God's faith. Every man may see how wickedly and furiously he rails in this matter: for if indulgences, as he says, are but meer imposters, and good for nothing, then it follows, that not only our chief bishop, Leo X (whose innocent, unspotted life, and most holy conversation are well known through the world, as Luther himself confesses in a letter of his to the Pope) is an imposter; but also all Roman Bishops in so many past ages, which as Luther himself says, did use to give indulgences: some a years remission, some three years, some to forgive a Lents penance, some a certain part of the whole penance, as the third, or one half; at least something, as to plenary or full remission of the sin, and punishment.

Then they were all imposters, if Luther be true: But how much more reason is there to believe, that this little brother is a scabb'd sheep, than that so many pastors were treacherous, and unfaithful? For Luther, as is said above, shows what kind of man he is and how uncharitable, when he blushes not to lay such a crime against so great, and so holy bishops. If God (in the Leviticus) says to all, Thou shalt not be an accuser, or back-biter amongst the people; what may we think of Luther, who casts such a foul scandal, not only on one man, but on so many, and so venerable prelates? And this he whispers not only in one city, but publishes to the whole world. If he be accursed (in Deuteronomy) who shall privately smite his neighbour; with how great a curse shall he be stricken, who insults over his governours with such reproaches?

Finally, if, (as the Gospel says) he be a murtherer, and has not life everlasting, who hates his brother: does not this patricide deserve everlasting death, who with hatred pursues his father? Seeing he's come to that pass, as to deny indulgences to be profitable in this life; it would be in vain for me to dispute what great benefits the souls in Purgatory receive by them: Moreover, what would it avail us to discourse with him of the great helps whereby we are reliev'd from Purgatory itself? And being not able to endure to hear of the Popes delivering any person out of it, he presumes to leave none there himself.

[P. 131.] Luther therefore, finding himself cast out from the fellowship of the faithful, began to do like the deplorable impious, who contemn the gulf they are ready to be plung'd into. He has not sigh'd, he has not lamented his fall, in which, like exalted Lucifer, he has been cast down, and broken even as a flash of lightning; but imitating the Devil in despair, he becomes like the Devil himself; that is, a slanderer, beginning to break out into blasphemies and contumelies against the Pope, and envying all the rest of the faithful. Like the old Serpent, he begins to spread abroad the snares of infidelity, that by tasting of the forbidden fruit of hurtful knowledge, he might procure their expulsion out of the Paradiſe of the Church (from which he had fallen himself), into a land of thorns and thistles. I am indeed heartily sorry for his so great madness, and miserable fall; and I wish, that as yet, by the inspiration of Gods grace, he may repent, be converted, and live. Nor do I so much desire this for his sake alone (though for him also, as wishing the salvation of every man possible), as that he being at last converted, and like the Prodigal Son returning to the mercy of so bountiful a Father, and confessing his errour, may recall

again into the right way, those whom he has misled. But now if he has so deeply plung'd himself, that the pit of wickedness and despair has gorg'd him into its mouth, he rails, he blasphemes, he slanders, he rages, "and he who is filthy, becomes more filthy still."

But I beseech all the rest of Christians, and beg of them through the bowels of Christ, (whose faith we profess) to shut their ears against his impious words, and not to entertain any schisms, or discords amongst them, especially at this time, when all Christians ought, however, to agree together against the enemies of Christ. Also let them not give ear to opprobrious detractions against the Vicar of Christ, thrown upon him by this wicked brother: neither let them contaminate their hearts consecrated to Christ, with impious heresies, sown by him who is void of charity, swell'd with pride, in reason cold, but hot in envy. Finally, let them stand up against this puney brother, weak in power, but in mind more pernicious than either Turk, Saracen, or Infidel: let them, I say, resist him with the same mind and resolution that they would the Turks, Saracens, and worst of Infidels.

6.

[The literature of heresy. More's preface to his *Confutacion of Tyn-dale*, *English Works* (1557), i. 339. Written 1532.]

Our Lorde sende vs now some yeres as plentuous of good corne, as we haue had some yeres of late, plentuous of euill bookes. For they haue growen so fast, and sprongen vp so thycke, full of pestilent errours and pernicious heresies, that they haue infected and kyllled, I feare me, moe selye symple soules, then the famine of the deare yeares haue destroyed bodyes, [p. 344c]. Whiche bookes

albeit that they neither can bee there prynded withoute greate cost, nor here solde without great aduenture and perill, yet cease they not with money sent from hence, to print them there and sende them hether by the hole sakkes full at once, and in some places lookyng for no lucre, cast them abrode by night, So greate a pestilent pleasure haue some deuclishe people caught, with the labor, trauaile, cost, charge, peril, harme, and hurt of themself, to seke the destruccion of other.

BOOK IV. SOCIAL AND ECONOMIC.

A. SOCIAL LIFE.

1.

[Description of the people of England. *Ital. Rel.*, p. 20.]

The English are, for the most part, both men and women of all ages, handsome and well proportioned; though not quite so much so, in my opinion, as it had been asserted to me, before your Magnificence went to that kingdom; and I have understood from persons acquainted with these countries, that the Scotch are much handsomer; and that the English are great lovers of themselves, and of everything belonging to them; they think that there are no other men than themselves, and no other world but England; and whenever they see a handsome foreigner, they say that "he looks like an Englishman," and that "it is a great pity that he should not be an Englishman;" and when they partake of any delicacy with a foreigner, they ask him, "whether such a thing is made in *their* country?" They take great pleasure in having a quantity of excellent victuals, and also in remaining a long time at table, being very sparing of wine when they drink it at their own expense. And this, it is said, they do in order to induce their other English guests to drink wine in moderation also; not considering it any inconvenience for three or four persons to drink out of the same cup. Few people

keep wine in their own houses, but buy it, for the most part, at a tavern; and when they mean to drink a great deal, they go to the tavern, and this is done not only by the men, but by ladies of distinction. The deficiency of wine, however, is amply supplied by the abundance of ale and beer, to the use of which these people are become so habituated, that, at an entertainment where there is plenty of wine, they will drink them in preference to it, and in great quantities. Like discrete people, however, they do not offer them to Italians, unless they should ask for them; and they think that no greater honour can be conferred, or received, than to invite others to eat with them, or to be invited themselves; and they would sooner give five or six ducats to provide an entertainment for a person, than a groat to assist him in any distress.

They all from time immemorial wear very fine clothes, and are extremely polite in their language; which, although it is, as well as the Flemish, derived from the German, has lost its natural harshness, and is pleasing enough as they pronounce it. In addition to their civil speeches, they have the incredible courtesy of remaining with their heads uncovered, with an admirable grace, whilst they talk to each other.

2.

[Letter from Nicolo di Favri attached to the Venetian embassy in London to Francesco Gradenigo, 23 January, 1513. *Cal. State Pap., Venice*, II. 219.]

In England the houses are all of wood, and both rooms and corridors are of the same material. Over the floors they strew weeds called "rushes," which resemble reeds, and which grow on the water. Every eight or ten days they put down a fresh layer; the cost of each layer being

half a Venetian livre, more or less, according to the size of the house.

In England the women go to market for household provisions; if gentlewomen, they are preceded by two men servants. Their usual vesture is a cloth petticoat over the shift, lined with grey squirrel's or some other fur; over the petticoat they wear a long gown lined with some choice fur. The gentlewomen carry the train of their gown under the arm; the commonalty pin it behind or before, or at one side. The sleeves of the gowns sit as close as possible; are long, and unslashed throughout, the cuffs being lined with some choice fur. Their head gear is of various sorts of velvet, cap fashion, with lappets hanging down behind over their shoulders like two hoods; and in front they have two others, lined with some other silk. Their hair is not seen, so is unable to say whether it be light or dark. Others wear on their heads muslins, which are distended, and hang at their backs, but not far down. Some draw their hair from under a kerchief, and wear over the hair a cap, for the most part white, round, and seemly; others again wear a kerchief in folds on the head: but be the fashion as it may, the hair is never seen. Their stockings are black and their shoes doubly soled, of various colours, but no one wears "choppines," as they are not in use in England. When they meet friends in the street, they shake hands, and kiss on the mouth, and go to some tavern to regale, their relatives not taking this amiss, as such is the custom. The women are very beautiful and good tempered.

The men are well made, tall and stout; well clad, wearing gowns called doublets (zuboni) plaited on the shoulders, reaching half way down the leg, and lined with several sorts of very fine furs. On their heads they wear

caps with one or two ornaments . . . ; with short hair like the priests in Venice, the hair over the forehead being cut away.

In England no one makes bread at home; but every morning all take it at the baker's, and keep tallies there . . . ; at present bread is dear on account of the war. . . . The floors of the English houses are for the most part planked. Aloft, at the window sills (which are all of wood) they put rosemary, . . . sage, and other herbs. In England it is always windy, and however warm the weather, the natives invariably wear furs. At present it has not yet been cold there, nor is it rainy or muddy. The summers are never very hot, nor is it ever very cold.

3.

[An impression of London. *Ital. Rel.*, p. 41.]

At present, all the beauty of this island is confined to London; which, although sixty miles distant from the sea, possesses all the advantages to be desired in a maritime town; being situated on the river Thames, which is very much affected by the tide, for many miles (I do not know the exact number) above it: and London is so much benefited by this ebb and flow of the river, that vessels of 100 tons burden can come up to the city, and ships of any size to within five miles of it; yet the water in this river is fresh for twenty miles below London. Although this city has no buildings in the Italian style, but of timber or brick like the French, the Londoners live comfortably, and, it appears to me, that there are not fewer inhabitants than at Florence or Rome. It abounds with every article of luxury, as well as with the necessaries of life: but the most remarkable thing in London, is the wonderful

quantity of wrought silver. I do not allude to that in private houses, though the landlord of the house in which the Milanese ambassador lived, had plate to the amount of 100 crowns, but to the shops of London. In one single street, named the Strand, leading to St. Paul's, there are fifty-two goldsmith's shops, so rich and full of silver vessels, great and small, that in all the shops in Milan, Rome, Venice, and Florence put together, I do not think there would be found so many of the magnificence that are to be seen in London. And these vessels are all either salt cellars, or drinking cups, or basins to hold water for the hands; for they eat off that fine tin, which is little inferior to silver (pewter). These great riches of London are not occasioned by its inhabitants being noblemen or gentlemen; being all, on the contrary, persons of low degree, and artificers who have congregated there from all parts of the island, and from Flanders, and from every other place. No one can be mayor or alderman of London, who has not been an apprentice in his youth; . . . Still, the citizens of London are thought quite as highly of there, as the Venetian gentlemen are at Venice, as I think your Magnificence may have perceived.

4.

[The gilds and social life. The Orders and Statutes of the newly founded craft of drapers, 25 April, 1493. *Beverley Town Documents* (Seld. Soc.), p. 99.]

First, that there shall be of the same Drapers a brotherhood for the maintenance of a wooden castle to be erected on Mondays in Rogation week yearly for ever next the castle of the Mercers, when the venerable procession with the shrine of the most holy confessor of Christ, John, shall

be borne to the chapel of the Blessed Mary the Virgin. And that the aldermen and stewards of the craft aforesaid shall yearly erect and properly cover in the said castle, on pain of forfeiture of 40 s. to the community of Beverley. . . .

Also the said Drapers shall maintain and find among them a candle of wax before the image of S. Michael the Archangel in the church or chapel of the Blessed Mary the Virgin burning on Sunday and other feast-days throughout the year.

Moreover that the said Drapers shall play or cause to be played on the feast of Corpus Christi a play called "Dooming Pilate," every year when the community of Beverley consent on S. Mark's day that the plays should be played, under the penalty therfor specified in the common register, viz. 40 s.

5.

[A description of Sweating Sickness. Hall, *Chronicle*, p. 425. This extract is a close rendering of the description in Polydore Vergil, *Hist. Angl.* (1570), p. 167.]

In this same yere a newe kynde of sicknes came sodenly through the whole region euen after the first entryng of the kyng into this Isle, whiche was so sore, so peynfull, and sharp that the lyke was neuer hardè of, to any mannes remembraunce before that tyme: For sodenly a dedly and burnyng sweate inuaded their bodyes and vexed their bloud with a most ardent heat, infested the stomack and the head greuously: by the tormentyng and vexacion of which sicknes, men were so sore handled and so painfully pangued that if they were layed in their bed, beyng not hable to suffre the importunate heat, they cast away the shetes and all the clothes liyng on the bed. If they were in their apparell and vestures, they would put of all their garmentes

euen to their shirtes. Other were so drye that they dranke the colde water to quenche their importune heate and insaciabie thirst. Other that could or at the least woulde abyde the heate and stynche (for in dede the sweate had a great and a strong sauoure) caused clothes to be layed vpon them asmuch as they coulde beare, to dryue oute the sweate if it might be. All in maner assone as the sweate toke them, or within a short space after, yelded vp their ghost. So that of all them that sickened ther was not one emongest an hundreth that escaped: in somuche, that beside the great nombre which deceased within the cytie of London, two Mayres successiuely dyed of the same desease within viij daies and vi Aldermen. . . . At the length by study of the Phisicians . . . they learned a present and a spedye remedy . . . whiche is this: If a man on the daye tyme were plagued with the sweate, then he shoulde streyght lye downe with all his clothes and garmentes and lye styll the whole xxiiij houres. If in the night he were taken, then he should not ryse out of his bed for the space of xxiiij houres . . . and to absteyne from all meate if he might so longe susteyne and suffre hungre and to take no more drynke neither hote nor colde, then wyll moderately quentche and delaye his thrustye appetyde.

6.

[An acte agaynst vacabounds and beggers. 11 Hen. VII. c. 2 (1495). *Stat. Realm*, ii. 569. For some modifications of this Act, *vide* St. 19 Hen. VII. c. 12. *Ibid.*, ii. 656.]

[Be it enacted] . . . that the [shiref] maires baillifs high constables and pety constables and all other governors and officers of citees burghes townes townships villages and other placis, within iij daies after this acte proclamed,

make due serch, and take or cause to be taken all suche vagaboundes idell and suspecte persones lyvyng suspeciously, and theym so taken to sette in stokkes, ther to remayne by the space of iij daies and iij nyghtes and ther to have noon other sustenaunce but brede and water; and after the seid iij daies and iij nyghtes to be had oute and set at large and then to be commaunded to avoide the townen; And if eftsones he be taken in suche defaute in the same town or township then he to be sette in the like wise in stokkis by the space of vj daies with like diete as is before reherced; and if eny persone or persones geve eny other mete or drinke to the seid mysdoers being in stokkes in fourme aforseid, or the same prisoners favour in their mysdoynge, that then they forfeite for every tyme so doing xij d.

And also it is ordeyned . . . that all manner of beggers not able to werke, within vj wekis next after proclamacion made of this acte, goe reste and abide in [his] hundred where he last dwelled, or ther where he is best knowen or born, ther to remayne or abide without begging out of the said hundred, upon payne to be punysshed as is beforeseid. And that no man be excused by that he is a clerke of on unyversite or of other, without he shewe the lettres of the Chaunceller of the Unyversite from whens he seith he comyth, nor none other calling himself a souldour shipman or travelyngman without he bringe a lettre from his captayn or from the town where he landed, and that he then to be commaunded to go the . . . high wey into his country.

. . . And farthermore it is ordeyned and enacted by the seid auctorite that noon apprentice ne servaunt of husbandry laborer ner servaunt artificer pley at the tables from the xth day of January next commyng but onely for

mete and drinke, ner at the tenys closshe dise cardes bowles nor any other unlauffull game in no wise out of Cristmas, and in Cristmas to pley oonly in the dwelling house of his maister or where the maister of any the seid servauntes is present, upon peyne of imprisonment by the space of a day in the stokkis openly; And that the housholder where disyng carding tenys pleiying bowles clossh or any other unlawfull game afore reherced shalbe used, otherwise then is afore reherced, and that lauffully be presented before justices of peas the maire shiref in his tourne or stuard in his lete, or by examynacion had afore the seid justices of peas, that proces be made upon the same as upon endytment of trespas ayenst the kingis peas and that the seid mysdoer be admytted to no fyne undre the somme of vj s. viij d.

7.

[Regulations made in London for the restraint of vagabonds and beggars, 1517. Printed in Aydelotte, *Elizabethan Rogues and Vagabonds*, p. 140.]

First, it is certified by euery alderman the nombre and the names of euery persone abidyng wythin his warde beyng so impotent, aged, feble, or blynde, that they be nat able to gette their lyvynges by labour and worke, and also be in suche extreme pouerte that they may nat lyve but oonly by almes and charite of the people, whose names appere in the Guyldhall in the bylles of certificates of euery alderman more at large, whiche is and amounteth to the nombre of a M^l and aboue.

Item, there is deuysyd as many tokens to be made as be certified poore almes persons in the seyd billes, that is to say a payer of beedes rounde with tharmes of london in the myddys, to be stryken with a stampe in metall of pure white

tynne, and the tokens seuerally shalbe delyuered to euery alderman accordyng to the nombre of the seyde poore almes persones by hym certified to thentent that he shall delyuer to euery suche poore persone impotent, aged, and feble that can nat gette theyr lyvyng by labour or werke as is aboueseyd, and to none other, one of the seyde tokens by the seyde alderman to be sette vpon their ryght shulders of ther Gownes openly to be seene, which persones hauyng the seyde tokens vpon theym shalbe sufferd to begge and aske almes of the people within the cite and the suburbes of the same.

Item, that none other persone as vagabunde or myghty begger nor any other be suffred to begge within the seyde Citie, but only suche seyde persones as haue the seyde tokens vpon theym as is aforeseyd. . . .

Item, yf any suche vagabund or myghty begger come into the seyde cite, that then the lawes in suche cases ordeigned and prouyded be duely executyd vpon them accordyng to the statute therof made in the tyme of kyng henry the vijth without any favour or forberying of the hole punysshment therof.

8.

[Arrangements for the poor at Bristol, 1522. *Ricart's Kalendar*, (Camd. Soc.), p. 49.]

This yere whete, corn, and other graynes rose at a dire price, by reason whereof the said Maire, of his gode disposition inclynyng his charitie towards the comen wele and profite of this Towne, auctorized Mr. Ware and others, vndre the comon seale of this said towne, to provide whete, corn, and other graynys necessary and beneficial! for the comons of this same towne, within the shire of Worcestre,

or therabout, by vertue of the kynges moost gracious lettrez patentz to the said Maire, at his meke supplication graunted; by reason wherof greate abundaunce of whete, corn, and other graynes was so provided, that the inhabitants of the said towne were greatly releved and comforted in mynysshing of the price of whete, corn, and other graynys, sold in the open markett of this said Towne.

9.

[The causes of poverty. Sir Thomas More, *Utopia* (ed. G. Sampson, 1910, p. 35).]

Nay, quod I, you shall not skape so: for first of all, I wyll speake nothyng of them, that come home oute of the warres, maymed and lame, as not longe ago, oute of Blackeheath felde, and a litel before that, out of the warres in Fraunce: suche, I saye, as put their lives in jeoperdye for the weale publiques or the kynges sake, and by reason of weakenesse and lamenesse be not hable to occupye their olde craftes, and be to aged to lerne new: of them I wyll speake nothing, forasmuch as warres have their ordinarie recourse. But let us considre those thinges that chaunce daily before our eyes. First there is a great numbre of gentlemen, which can not be content to live idle themselves, lyke dorres, of that whiche other have laboured for: their tenauntes I meane, whom they polle and shave to the quicke, by reisyng their rentes (for this onlye poynte of frugalitie do they use, men els through their lavasse and prodigall spendynge, hable to brynge theymselves to verye beggerye) these gentlemen, I say, do not only live in idlenesse themselves, but also carrye about with them at their tailes a great flocke or traine of idle

and loyteryngge servyngmen, which never learned any craft wherby to gette their livynges. These men as sone as their mayster is dead, or be sicke themselves, be incontinent thrust out of dores. For gentlemen hadde rather keepe idle persones, then sicke men, and many times the dead mans heyre is not hable to mainteine so great a house, and kepe so many serving men as his father dyd. Then in the meane season they that be thus destitute of service, either starve for hunger, or manfullye playe the theves. For what would you have them to do? When they have wandred abroad so longe, untill they have worne thredbare their apparell, and also appaired their helth, then gentlemen because of their pale and sickely faces, and patched cotes, will not take them into service. And husbandmen dare not set them a worke: Knowynge wel ynoughe that he is nothing mete to doe trewe and faythful service to a poore man wyth a spade and a mattoke for small wages and hard fare, whyche beyng deyntely and tenderly pampered up in ydilnes and pleasure, was wont with a sworde and a buckler by hys syde to jette through the strete with a bragginge loke, and to thynke hym selfe to good to be anye mans mate.

10.

[An Act to regulate the wearing of costly apparel. St. 1 Hen. VIII. c. 14. (1510). *Stat. Realm*, iii. 8.]

Forasmuche as the greate and costly array and apparrell used wythin this realme contrary to good statutes therof made hathe be the occasion of grete impoverisshing of divers of the kinges sugiectes and provoked meny of them to robbe and to doo extorcion and other unlawfull dedes to maynteyne therby ther costeley arrey: In eschewyng

wherof, Be it ordeyned . . . that no persone of whate estate condicion or degre that he be use in his apparell eny cloth of golde of purpoure coloure or sylke of purpoure coloure but onely the Kyng, the Qwene the Kynges Moder the Kynges Chylder the Kynges Brethers and Susters, upon payne to forfeitt the seid apparell wherwyth so ever yt be myxte, and for using the same to forfaite xx pounce :

B. EDUCATION.

1.

[Arrangements for education. *Records of the City of Norwich*, ii. p. 154.]

On the 20th day of September in the twelfth year of the reign of King Henry VII. [1496] Thomas Styward of Norwich, grocer, and Walter Shane, his apprentice to the art of grocer's craft, of the age of 18 years and more, came before John Rede, Mayor of the City of Norwich, in their proper persons, and the same Walter of his own motion before the said Mayor requested from the said Thomas, his master, a license to go to school and to be discharged of his apprenticeship against his same Master, for that he intended, by divine grace, to take upon him the priestly order when a suitable time should come, and that he will attend school with that intention with all his diligence with John Russell, clerk, in the county of Norfolk. Which having been heard the said Thomas Styward then and there before the said Mayor asserting faith to the same Walter in the premises, and the rather desiring those things that are divine to be furthered, freely licensed the said Walter to obtain and enjoy, god granting it, his purpose in the premises Provided always that if the said

Walter in the future shall not attend school with the said intention during the term of his apprenticeship, but shall turn himself to other labours and occupations, then, by the agreement of the said Walter, it shall be quite lawful for the same Thomas to retake the same Walter into his service wheresoever he may then have been found by reason and force of the said apprenticeship, and to compel him to serve the same Thomas according to the form and effect of the indenture made between them, the premises notwithstanding.

2.

[Founding a school, 15 November, 1496. *Cal. Pat. Rolls*, 1494-1509, p. 83.]

Licence for John Nele, dean of the chapel of Arthur prince of Wales, and Vincent Tehy, merchant of Southampton, to found two schools (gignasia) of two masters and, if necessary, two ushers under them, in the island of Gersey for the instruction of boys, whether natives of Gersey or of other places, in grammar and other inferior liberal sciences: the masters to be chosen on every vacancy by the dean and curates or by the dean and the majority of the curates of the same island; and for the said John and Vincent to grant 60 quarters of wheat yearly to be paid by them and the heirs of the said John and Vincent or either of them every Michaelmas to the aforesaid masters, and for the masters and their successors to receive in addition to the said 60 quarters any quantity up to 200 quarters of wheat yearly from any persons willing to give it.

3.

[A bequest made by Hugh Brice, knight, Alderman and goldsmith of the city of London, 25 January, 1497-98. *Calendar of Wills, Court of Hustings*, ii. p. 600.]

To be buried in the church of S. Mary Wolnoth in Lombardestrete, to the rector and churchwardens of which church and their successors he leaves his tavern called "the Cardinals Hatte," situate within the parish, charged with the maintenance of a chaplain to perform various religious duties as set forth at length, and also with providing a clerk of good and honest conversation, being expert and cunning in "the craft and science of syngyng, playing at Organs, and techyng of childern," who shall keep a school and teach such children as he can get to sing "playne song and pryked song."

4.

[Colet's statutes for St. Paul's School. Printed in Lupton, *Life of Colet*, App. A, p. 279.]

What shalbe Taught.

As towchyng in this scole what shalbe taught of the Maisters and lernyd of the scolers it passith my wit to devyse and determyn in particuler but in generall to speke and sum what to say my mynde, I wolde they were taught all way in good litterature both laten and greke, and goode auctors such as haue the veray Romaine eliquence joyned withe wisdomes specially Cristyn auctours that wrote theyre wysdome with clene and chast laten other in verse or in prose, for my entent is by thys scole specially to incresse knowlege and worshipping of god and oure lorde Crist Jesu and good Cristen lyff and maners in

the Children And for that entent I will the Chyldren lerne ffirſt aboue all the Cathechyzon in Englyſh and after the accidence that I made or ſum other yf eny be better to the purpoſe to induce chyldren more ſpedely to laten ſpech And thanne Institutum Christiani homines which that lernyd Erasmus made at my request and the boke called Copia of the ſame Erasmus And thenne other auctours Chriſtian as lactancius prudentius and proba and ſedulius and Juuencus and Baptiſta Mantuanus and ſuche other as ſhalbe taught convenyent and moſte to purpoſe vnto the true laten ſpech all barbary all corrupcion all laten adulterate which ignorant blynde folis brought into this worlde and with the ſame hath diſtayned and poysenyd the olde laten ſpech and the varay Romaine tong which in the tyme of Tully and Saluſt and Virgill and Terence was vſid, whiche alſo ſeint Jerome and ſeint ambroſe and ſeint Auſten and many hooly doctors lernyd in theyr tymes. I ſay that ffylthynesse and all ſuch abuſyon which the later blynde worlde brought in which more ratheyr may be callid blotterature thenne litterature I vtterly abanyſh and Exclude oute of this ſcole and charge the Mailters that they teche all way that is the beſt and inſtruct the chyldren in greke and Redyng laten in Redyng vnto them ſuch auctours that hathe with wiſdome joyned the pure chaste eloquence.

5.

[English students and the Continent. (a) *Regist. Annal. Colleg. Merton*, p. 274. 24 February, 1503.]

On the twentyfourth day, viz. in the feaſt of St. Matthew the Apoſtle, Maſter John Chambre, fellow of the college, ſtarted on his way to London, whence he is about to go

for a while to Italy, viz., to Padua renowned as the home of all humane studies, and there, God willing, he will devote himself to the study of the works of Avicenna, Galen, and other doctors.

[(b) *Ibid.*, p. 324. 11 December, 1506.]

On the eleventh day of December there returned from London, Master John Chambre, doctor of medicine, who left London on the 10 March, 18 Henry VII, in order to study in Italy.

6.

[A description of Sir Thomas More, the greatest of the English humanists, written by Erasmus in a letter to Ulrich von Hutten, 23 July, 1519. Allen, *Letters of Erasmus*, iv. p. 13 (Latin). The letter is translated in Nichol, *Epistles*, iii. p. 387, but it is wrongly dated. For discussion on this point, *vide* Allen, *op. cit.*, p. 12. The following translation has been taken from Allen, *Selections from the English Works of Sir Thomas More*, p. 1.]

You bid me depict you More, as it were at full length : I wish I could, with such finish as you desire. It certainly will be pleasant to dwell upon the thought of the sweetest of all friends. But not every man can know all More's charms ; nor would he wish perhaps to be painted by just any one. As hard a task as to portray the great Alexander or Achilles : for quite as much as they does he deserve to be immortal. The touch of an Apelles is needed ; but mine, I fear, will be more like the rough fists of the gladiators Fulvius and Rutuba. Still I will try to sketch him for you in outline, recalling what I can of our long friendship in his own home. . . .

To begin where you know least of More, in build and stature he is not what would be described as tall, but he is not noticeably short ; and there is such proportion in all

his limbs that it never occurs to one to wish him in any way different. His skin is bright and clear, and so, too, his face, which is neither pale nor ruddy, except for a faint glow which shines over it all. His hair is auburn, tinged with black, or, if you like, black tinged with auburn; his beard thin, his eyes blue-grey, but with spots of different colour—a kind which is thought to show a very happy temperament, and is much liked in England, though our countrymen prefer black. No eyes, they say, are more free from blemish. His nature may be read in his face, always pleasant and friendly and cheerful, with a readiness to smile: indeed its inclination is towards merriment rather than to grave dignity, though very far removed from silly buffoonery.

His right shoulder looks a little higher than the left, especially when he walks: a pose which is not natural but has come through habit, like many other of our characteristics. Beyond this there is nothing amiss, except that his hands are a little coarse; at least if you compare them with the rest of him. Of his personal appearance he has always been careless; thinking little even of those graces which Ovid says a man ought at least to heed. How charming he must have looked when a lad, one can see even now in his riper age. I knew him first when he was not more than 23, now he is a little over 40.

His health is good rather than strong, fit enough for any work that befits his position, and with little tendency to disease. We may hope that he will live long, since his father, who is quite an old man, is still wonderfully hale and vigorous. I have never seen any one less dainty about what he eats. Until he grew up, he was quite content with water, as his father had been before him. But not to make his companions uncomfortable, he used to drink out

of a pewter cup, usually the thinnest small beer, and often nothing but water. Wine he sometimes touched with the tips of his lips, since it is the English custom to pledge one another in a loving cup; to avoid seeming to shun it altogether, also to accustom himself to what is commonly done. He used to choose beef and salt fish and bread made of coarse and fermented flour, rather than the delicacies which most people enjoy: though he does not eschew even bodily pleasure when it does no harm. His favourite dishes are made of milkfoods and fruit, and particularly of eggs.

His voice is neither loud nor thin, but penetrating: not soft nor musical, but well suited for speaking. For singing he has no gift, though he enjoys every kind of music. His speech is singularly clear and articulate, neither headlong nor halting.

In dress he likes simplicity, and never wears silk or purple or chains of gold, unless required. It is surprising how neglectful he is of the formalities in which politeness is commonly thought to consist. He never expects them from others, and so does not trouble to discharge them himself, either when he meets friends or in general company: though he has them at command, if he cares to use them. To him they are women's work, trivialities on which a man should not waste time.

He has always liked equality and hated despotism, and so at one time he shunned intimacy with princes; for round the quietest throne is bustle and rivalry and luxury and sham, with marks of mastery and servitude. Even into Henry VIII.'s court he was only drawn with great reluctance: though no sovereign could be more polished or more considerate. Of freedom and leisure he can never have enough: but while he thankfully enjoys his leisure

when he can get it, no one is more alert or more ready to take trouble when need arises. . . .

To live with he is singularly sweet and conversible; cheering the lowspirited and in times of distress relieving the general gloom. From his boyhood he has had a natural delight in jokes: but always avoiding vulgarity and taking care not to wound. As a young man he wrote and acted some little plays. He rejoices in brilliant sallies, seasoned with real wit, and a clever retort delights him, even when against himself. Hence it was that in youth he amused himself with Epigrams and took special pleasure in Lucian: and it was he who made me write the *Praise of Folly*, like setting a camel to dance. . . .

From his earliest years he followed after good learning. As a young man he took up Greek literature and philosophy—to the distress of his father, an upright man and usually of sound sense; who being himself an authority on English Law, thought fit to check these studies by cutting off all supplies, and, indeed, More was almost disowned, because he seemed to be deserting his father's profession. The study of law has little in common with true learning, but in England those that succeed have a great position; and with good reason, for it is from their ranks that the nobility is for the most part filled. Complete mastery of the law is said to require the strenuous labour of many years. Naturally therefore the young man with his instinct for better things dreaded these severe studies. Yet, after making trial of the schools, he turned his strong and quick wits to the law with such success that no one's counsel was in greater demand, and no professional lawyer had a better practice. . . .

In the City of London, his birthplace, he has been for some years a judge in civil cases: an office which has little

work (the court only sits on Thursday mornings till dinner-time) but confers great honour. No one has disposed of more cases than he, nor shown more honesty: indeed he usually remits the fees charged to litigants, three shillings deposited by either side beforehand, a fixed sum which may not be exceeded. By such conduct he has made himself much beloved in the City.

He had resolved to be content with this position, which gave him dignity without the more serious risks of public life. But more than once he was constrained to serve on embassies; and his sound conduct of these so delighted King Henry VIII. that he could not rest till he had dragged More to Court. *Dragged* is the only word; for no aspirant was ever more eager to go to Court than More was to avoid it. But the King has the wise desire to surround himself with men of the best, learned, grave, true and honourable, and among the first that he selected was More: of whom he is indeed so fond that he will scarcely ever let him go. In matters of moment no counsel is better than his; and if the King has a mind to be merry, none is a gayer companion. In difficult cases which require careful handling, More often arrives at a settlement agreeable to both parties. No one has ever induced him to accept any present. How happy would the world be if none but men like More were appointed magistrates! With all this honour, there has come no touch of pride. . . .

But to return to the studies which were our common interest and brought us together; his first years were given to poetry. Then for a long while he exerted himself to acquire a flexible prose style, making experiments in every kind: with what success I need not say, above all to you who have his books always in your hands. He took special pleasure in declamations and, in particular, in

paradoxical themes, because these supply a keener exercise for ingenuity. Thus, while still a young man, he worked upon a dialogue, in which he maintained Plato's principle of community in all things, even in wives. He composed a reply to Lucian's *Tyrannicide*, inviting me to compete with him, in order to see what progress he had made in this branch of composition. In the *Utopia* his purpose was to show whence spring the evils of states: but he modelled it on the British constitution, with which he is thoroughly familiar. He began with the second book, written at leisure, and then, when opportunity came, added the first rapidly: which accounts for some unevenness in the style.

Scarcely any one is happier at impromptu speaking, for he has a pretty wit and a ready tongue. His thoughts are quick to fly on ever in advance. His memory is wide awake: and having, so to speak, all its cash ready, produces without hesitation anything that may be required. In argument no one could be more acute: indeed he often puzzles the most learned theologians on their own ground. John Colet, a man of correct and penetrating judgement, sometimes says that in all Britain there is only one genius: though that island is so rich in men of ability.

More is a man of true piety, which he practises with regularity, yet without a trace of superstition. At definite hours he addresses his prayers to God, not in set phrases but with words which come straight from his heart. When he talks with his friends about the world to come, you can see that he is speaking in all sincerity and with good hope. Such is More the courtier: and then people think that Christians are only to be found in monasteries!

7.

[(a) Letter from Erasmus to Pace, 22 April, 1518. Allen, *Letters of Erasmus*, iii. p. 289 (Latin). F. M. Nichols, *Epistles of Erasmus*, iii. p. 345.]

Your King's Court in Britain is brilliant indeed, the seat and citadel of the best studies and of the highest characters ! I congratulate you, my Pace, upon having such a Sovereign, and I congratulate the Prince himself, whose reign is made illustrious by so many lights of genius ; and on both accounts I congratulate your England, a fortunate country in many ways besides, but so excelling in these respects, that no region in the world can be compared with it. Now at any rate a whole lifetime may be spent with advantage in a country, where under princely favour Good Letters are dominant, the love of Honour is strong, and a sentence of banishment has been passed against that futile and tasteless learning with its masked affectation of holiness, which used to be in fashion with uneducated men of education. I grieve to hear that Grocyn is failing ; while I see, that in place of one learned scholar so many will soon grow up.

[(b) Letter from Erasmus to Paulus Bombasius, 26 July, 1518. Allen, *Letters of Erasmus*, iii. p. 356 (Latin). F. M. Nichols, *Epistles of Erasmus*, iii. p. 421.]

You know, most excellent Bombasius, how I have always shrunk from the Courts of Princes, judging the life which is led there to be nothing but splendid misery, with a masquerade of happiness ; but into such a Court as that [of England] one might well be pleased to remove, if youth could be recalled. The King, the most sensible monarch of our age, is delighted with good books, and the Queen is well instructed,—not merely in comparison with her own sex,—and is no less to be respected for her piety than her

erudition. With such sovereigns, those persons have the greatest influence, who excel in learning and in prudence. Thomas Linacre is their physician, a man whom it is needless for me to characterize, when by his published books he has made himself sufficiently known. Cuthbert Tunstall is Master of the Rolls, an office which is of the highest dignity in that country, and when I name him, you cannot believe what a world of good qualities is implied. Thomas More is one of the Council, the supreme delight, not of the Muses only, but of Pleasantry and of the Graces, of whose genius you have been able to gain some scent from his books. Pace, with a character near akin, is the King's Secretary; William, lord Mountjoy, is at the head of the Queen's household, and John Colet is the Preacher. I have only named the chief people. John Stokesley, who beside that scholastic Theology, in which he yields place to none, is also well versed in the Three Tongues, is one of the Chaplains. A palace filled with such men, may be called a Temple of the Muses rather than a Court. What Athens, what Porch, what Lyceum would you prefer to a Court like that?

C. INTERNAL TRADE AND INDUSTRY.

1.

[Regulations for the encouragement of industry. An Acte for the mayntenaunce of Drapery and making of Cloth. St. 4 Hen. VII. c. 11 (1489). *Stat. Realm*, ii. 535.]

For thencres and mayntenynge of Drapery and makynge of Cloth withyn this land, the Kyng . . . hath ordeyned . . . that no maner of person, by him self or by eny othre, bye or bargeyn, from the first day of Marche . . . [1489]

. . . any wollez then unshorn, or take promyse of bargeyn of any wolles then unshorne, of the growing of Berkshire Oxenfordshire Gloucestreshire Herefordshire Shropshire Worcestirshire Wiltshire . . . Suffolk Kent Surrey and Sussex or any of theym, afore the fest of the Assumpcion of our Lady then next ensuyng; or bye or bargeyn any wolles, or take promyse of bargeyn of any wolles, that shall growe in any of the same shires, in any yere or yeres to come . . . but onely such persones as of the seid wolles shall make or doo to be made yarne or cloth within this realme; upon peyn of forfeiture of the double value of all the wolles bought.

2.

[Introduction of skilled labour, 28 March, 1487. Campbell, *Materials*, ii. p. 134.]

Grant to John de Salvo and Anthony Spynile, natives of England, to introduce foreign clothmakers and employ them in the art in one or more parts of the kingdom.

3.

[Regulation of Wages. St. 6 Hen. VIII. c. 3 (1515). *Stat. Realm*, iii. 124.]

[Be it enacted] . . . First that no bailif of husbandrye shall take for his wages by yere above xxvj s. viij d. for his clothyng v s. with mete and drynke; noo cheif hyne as a carter or cheif shephard above xx s. by the yere and for his clothyng v s. with mete and drynke; noo comyn servante of husbandrye above xvj s. viij d. by yere and hys clothyng iiij s. with mete and drynke; noo woman servant above x s. by yere and for hir clothing iiij s. with mete

and drynke; noo child within age of xiiij yeres above vj s. viij d. by yere and for his clothyng iiij s. with mete and drynke; And that noo artificer ne laborer hereafter named take no more ne gretter wages than in this statute is lymytted upon the payn seassed aswell to the taker as to the gever, that is to say; a fremason mastir carpenter rough mason brekelayer mastir tylar plumber glaseour kerver ne joyner from Estre to Michelmas every of theis artificers aforesaid vj d. by the day without mete and drynke and with mete and drynke iiij d: And fro Michelmas to Estir v d. without mete and drynke and with mete and drynke iij d: And that the wages of a shipwright from the fest of Candelmas unto the fest of Seynt Michell tharchaungell shalnot excede the forme ensuyng, that is to say a mastir ship carpenter takyng the charge of the werke havyng men under hym by the day v d. with mete and drynke, and without mete and drynke vij d. . . . [The statute proceeds to regulate wages for special workers in these trades.]

4.

[Regulation of working hours. St. 6 Hen. VIII. c. 4. *Stat. Realm*, iii. 125.]

[It is enacted] . . . that every artificer and laborer be at werke between the myddes of the moneth of Marche and the myddes of the moneth of September before v. of the cloke in the mornyng, And that he have but half an hower for his brekefast, and an houre and half for his dyner at suche tyme as he hath season for slepe to hym appoynted by the seid estatute, and at suche tyme as it is herin appoynted that he shall not slepe then he to have but an houre for his dyner and half an houre for his nonemete; And that he departe not from his werke betwene the myddes of the seid monethes of Marche and September till

betwene vij and viij of the klok in the evenyng: And if they or any of theym offende in any of theis articles, that then their defaultes to be marked by hym or hys deputie that shall paye their wages and at the weekes end to be abated of suche rate of tyme as they have offended: And that from the myddes of September to the myddes of Marche every artificer and laborer be at their werke in the spryngyng of the day and departe not till nyght of the same day; And that the seid artificers and laborers slepe not by day but only from the myddes of the moneth of May unto the myddell of August.

5.

[An Acte agaynst Usurye. St. 11 Hen. VII. c. 8 (1495). *Ibid.*, ii. 574.]

[Be it enacted] . . . that all maner of persone or persones [lenyng] money to and for a tyme, taking for the same lone any thing more besides or above the money lente by way of contracte of covenante at the tyme of the same lone, savyng lafull penaltees for nounpament of the same money lent; and that all maner of persone or persones which hereafter sell any goodes catelles or merchaundises to eny persone or persones being in necessite, and the seller hym self or by his broker or factour in that behalf ageyn bye the same godes catelles or merchaundises, of the same persone to whom they were solde, being in necessite, of his broker or factour in that behalffe, within iij monethes after they be sold for a lesse somme of money then they were sold for, knowyng the same goodes so bought ayen afore by the same bier or biers to be sold after the fourme aforeseid; And that every persone and persones lenyng or taking any money to eny persone or

persones to a certeyn tyme, and takith londes tenementes or any heredytamentis or other bondes for [suertie profite and sure repayment] of his or their money lent at the tyme assigned without any condicion or aventure, and also at the tyme of the same lone or taking of the seid money covenanteth appoynteth or contracteth . . . that he . . . that so [lene] or take money shall have the revenues and profites of the londes tenementis or hereditamentis of him that so boroueth or taketh money by a certeyn tyme; that then every persone hereafter upon any of the premysses convicted forfeite the moite of the value in money of the seid money goodes catelles merchaundises as is abovesaid so solde or lente, after such value as they be sold or lent for after any fourm aforseid; wherof the King shall have the oon moite of the same forfeiture and the partie that will sue the other moite, and if no man will sue then the King to have the hole;

6.

[An Acte for Waighthes and Measures, 7 Hen. VII. c. 3 (1491). *Stat. Realm*, ii. 551.]

Prayen the Commens in this present parliament assembled, that where aswell by the Chartre of Magna Carta as by oder divers ordenaunces and statutes . . . it hath be ordeyned that oon mesure and one weight shuld be throughoute all this realme of Englund, which weight and mesure shuld be according to the standard of yo^r Eschequer, and that every man shuld by and selle by the same and with none oder uppon certeyn peynes and forfeitures . . . which statutes and ordenaunces have not in tyme passed ne yet be put in due execucion, . . . [be it enacted] . . . that the seid mesures and waighthes of brasse be delyvered

to the citezeins or burgeises of the chief cites or shire townes or burghes of every shire of this realme in this parlement now being . . . to thentent that aswell all mesures and weightes within the seid cite towne or borough as the mesures and weightes within the seid shire may be correct reformed amended and made according and after the mesure of the seid standard before the feste of Seynt Mighell tharchangell next comyng.

7.

[Regulation of Prices. St. 4 Hen. VII. c. 8 (1489). *Ibid.*, ii. 533.]

For asmoche as drapers taillours and othre in the cite of London, and othre places within this realme, that use to sell wollen cloth at retaile by the yerdes, sellen a yerd of cloth at excessive price havyng unresonable lucre, to the grete hurte and empoverysshing of the kinges liege people byers of the same, ayenst equite and gode conscience . . . be it ordeyned . . . that noe persone sell within this realme at retaile a brode yerde of wollen cloth of the fynest making scarlet grayned, or othre cloth grayned what colour soever it be, to eny of the kingis subgiettes above the price of xvj s. a brode yerde ;

8.

[Forestalling, 30 September, 1499. *Records of the Borough of Nottingham*, III. p. 55.]

The jurors from the eastern side say, upon their oath, that Hugh Smith of Nottingham . . . tanner, on Saturday next after the feast of Saint Matthew the Apostle, in the fifteenth year of the reign of King Henry the Seventh, and

upon divers other days and occasions, commonly and usually, every market day, is a common forestaller of grain and especially of barley, buying every week eight or ten quarters at his door in the Little Marsh at Nottingham aforesaid, to the great enhancement of the price of grain in the same market, to the grievous detriment of our said Lord the King, and against his peace.

9.

[Gilds and the right of search, 3 August, 1524. *Records of Norwich*, II. p. 160.]

John Howse, taillour, is accused by the wardens of the taillours craft for that he wold not suffre the said wardens to serch in his shoppe in causes concernyng the occupacion of taillours craft, and also for defaute of workemanship of a kirtill and peticote founden by the wardens of [the] occupacion and other mysdemenours. Whereupon he is fined xvj d. and to giff to the occupacion a pound candell of wax.

10.

[The foundation of a gild, 22 July, 1486. *Cal. Pat. Rolls*, 1485-1494, p. 126.]

Licence for Robert Broke, John Jenyns, John Parowe, William Bonde and John Milton, citizens and bakers of the art or mistery of bakers of London, to found a fraternity or gild in honour of the Virgin Mary and St. Clement, of a master and four wardens of the commonalty of free-men of the mistery of the said city and suburb and of brethren and sisters, being free persons of the same mistery and others who wish to be members; and grant that they be a body corporate by the name of the master, wardens

and commonalty of free men of the mistery of bakers of London and its suburbs, to receive in mortmain possessions not held in chief, to the yearly value of 5 marks for the support of the poor men and women of that mistery for ever ; and that they shall have a common seal and may plead and be impleaded in all courts ; and that every Sunday after St. Clement they shall elect from themselves a master and four wardens. By p.s. For 25 marks paid in the hanaper.

11.

[The government and the gilds. St. 19 Hen. VII. c. 7 (1504). *Stat. Realm*, ii. 652.]

Be it therfor ordeyned . . . that no Maisters Wardens and felishippes of craftes or mysters, nor eny of them, nor eny rulers of guylde or fraternities, take upon them to make eny actes or ordinaunces, ne to execute eny actes or ordinaunces be them here afore made, in disheritaunce or diminucion of the prerogatyffe of the King, nor of other, nor ageynste the comen profite of the people, but yf the same actes or ordinaunces be examyned and approved by the Chaunceller Tresorer of Englonde and cheffe Justices of ether Benche, or thre of them ; or before bothe the Justices of Assises in ther cyrcuyte or progresse in that shyre wher suche actes or ordinaunces be made, upon the peyne of forfeytoure of xl li. for every tyme that they doo the contrarie.

And over that it is enacted that none of the same bodies corporate take upon theym to make eny actes or ordinaunces to restreyne eny persone or persones to sue to the Kynges Highnesse or to eny of his Courtes, for due remedie to be hade in ther causes, ne putte ne execute eny penaltie or punishment upon eny of them for eny suche sute to

be made, uppon peyn of forfeiture of xl li. for every tyme that they doo the contrarie.

12.

[Doctor Beale's sermon against the aliens, 1517. Hall, *Chronicle*, p. 586.]

In this ceason, the Genowayes, Frenchemen, and other straungiers sayde and boasted them selves to be in suche fauour with the kyng and hys counsayll, that they set naughte by the rulers of the citie: And the multitude of straungers was so great about London, that the poore Englishe artificers coulde skace get any lyuyng . . . and for these and many other oppressions done by them, there encreased such a malice in the English mennes hartes, that at the laste it brast oute. For amongst other that sore grudged at these matters, there was a broker in London called Ihon Lyncoln, whiche wrote a bill before Easter, desyring doctor Standyche at hys sermon at sainte Marye Spyttell the Mondaye in Easter weke, too moue the Mayre and Aldermen, to take parte with the comminalltie agaynst the straungiers: The doctor aunswered that it became not hym too moue any suche thyng in a sermon. From hym he departed, and came to a Chanon in sayncte Mary spittell, a doctor in Deuinitie, called doctor Bele, and lamentably declared to hym, how miserably the common artificers lyued, and skase coulde get any woorke to fynde them, their wyfes and chyl dren, for there were such a number of artificers straungers, that tooke awaye all the lyuyng in maner. . . . When Ester came and doctor Bele shoulde preache the Twesdaye in Easter weke, he came into the pulpit, and there declared that to him was brought a pitifull bill, and red it in this

wyse. To all you the worshipful lordes and masters of this citie, that will take compassion ouer the poore people your neighbours, and also of the great importable hurtes, losses, and hynderaunces, whereof procedeth the extreme pouertie too all the kynges subiectes that inhabite within this citie and suburbes of the same, for so it is that the alyens and straungiers eate the bread from the poore fatherles chyl dren, and take the liuyng from all the artificers, and the entercourse from all merchauntes, wherby pouertie is so muche encreased that euery man bewaileth the misery of other, for craftes men be brought to beggery and merchauntes to nedynes: wherefore the premisses considred, the redresse must be of the commons, kny t and vnyte to one parte, and as the hurt and dammage greueth all men, so muste all men set to their willyng power for remedy, and not to suffre the sayd alyens so highly in their wealth, and the naturall borne men of his region too come to confusion. Of this letter was more, but the doctor red no farther, and then he began *Cælum cæli domino, terram autem dedit filijs hominum*, and vpon thys text he intreated, that this lande was geuen too Englishemen, and as byrdes woulde defende their nest, so oughte Englishemen to cheryshe and defende them selves, and to hurt and greue aliens for the common weale. And vpon this text *pugna pro patria*, he brought in, howe by Goddes lawe it was lawfull to fight for their countrey, and euer he subtellye moued the people to rebell against the straungiers, and breake the kynges peace, nothyng regardynge the league betwene princes and the kynges honoure. Of this Sermon many a light person tooke courage, and openly spake against straungiers.

[Trial of the rioters. Hall, *Chronicle*, p. 589.]

Then y^e iiii day of May was an Oyer *and* determiner at London before y^e Mayre, the duke of Norffolke, the erle of Surrey, and other. . . .

When the lordes wer set, the prisoners were brought in thorough y^e stretes tyed in ropes, some men, some laddes, some chyldren of xiii. yere. There was a great mourning of fathers and frendes for their chyldren *and* kynsfolke. Emong the prisoners many were not of the citie, some were priestes, and some husbandmen *and* laborers, the whole some of the prisoners were ii. C. lxxviii. persons. The cause of the treason was, because the kyng had amitie with all Christen princes, that they had broken the truce *and* league, contrary to the statute of kyng Henry the V. Of this treason diuerse were endited, *and* so for *that* tyme, the lordes departed. And the next day the duke came agayn, *and* the erle of Surrey with ii. M. armed men, which kept the stretes. When the Mayre, the duke, and y^e erle of Shrewesbury *and* Surrey were set, the prisoners were arreigned, and xiii. founde giltie of high treason, *and* adiudged to be hanged, drawen and quartered, *and* for execucion wherof, were set vp xi. payre of galowes in diuerse places where the offences were done. . . .

Thursdaye the xxii. day of May the kyng came into Westmynster hall, for whome at the vpper ende was set a clothe of estate, *and* the place hanged with Arras, with him was the Cardinal, the dukes of Northfolke *and* Suffolke, y^e erles of Shrewesbury, of Essex *and* Wilshyre, of Surrey, with many lordes *and* other of the kynges counsail. The Mayre *and* Aldermen, and al the chief of the citie were

there in their best livery (according as the Cardinal had them apoynted) by ix. of the clock. Then the kynge commaunded that al the prisoners should be brought foorth. Then came in the poore younglinges and olde false knaues bounde in ropes all along, one after another in their shertes, *and* euey one a halter about his neck, to the number of iiii C. men *and* xi. women. And when all were come before y^e kinges presence, the Cardinal sore laied to the Mayre *and* comminaltie their negligence, *and* to the prisoners he declared y^t they had deserued death for their offence: Then al the prisoners together cryed mercy gracious lord, mercy. Then the lordes altogeth^r besought his grace of mercy, at whose request the kyng pardoned them al. And then the Cardinal gaue vnto them a good exhortacion to the great gladnes of the herers. And when the generall pardon was pronounced, all y^e prisoners shouted at once, *and* altogeth^r cast vp their halters into y^e hall roffe, so that the kyng might perceau^e they were none of the discretest sorte. . . . Then were all the galowes within the citee taken doune and many a good praier saied for the kyng, and the citezens toke more hede to their seruantes.

D. AGRICULTURE.

1.

[Agriculture. *Ital. Rel.*, p. 10.]

Agriculture is not practised in this island beyond what is required for the consumption of the people; because were they to plough and sow all the land that was capable of cultivation, they might sell a quantity of grain to the

surrounding countries. This negligence is, however, atoned for, by an immense profusion of every comestible animal, such as stags, goats, fallow-deer, hares, rabbits, pigs, and an infinity of oxen, which have much larger horns than ours, which proves the mildness of the climate, as horns cannot bear excessive cold: whence, according to Strabo, in some northern countries the cattle are without horns. But, above all, they have an enormous number of sheep, which yield them quantities of wool of the best quality.

2.

[The yeoman farmer. Latimer, First Sermon preached before Edward VI., 8 March, 1549. *Works* (Parker Soc.), i. p. 101.]

My father was a yeoman, and had no lands of his own, only he had a farm of three or four pound by year at the uttermost, and hereupon he tilled so much as kept half a dozen men. He had walk for a hundred sheep; and my mother milked thirty kine. He was able, and did find the king a harness, with himself and his horse, while he came to the place that he should receive the king's wages. I can remember that I buckled his harness when he went unto Blackheath field. He kept me to school, or els I had not been able to have preached before the king's majesty now. He married my sisters with five pound, or twenty nobles apiece; so that he brought them up in godliness and fear of God. He kept hospitality for his poor neighbours, and some alms he gave to the poor. And all this he did of the said farm, where he that now hath it payeth sixteen pound by year, or more, and is not able to do anything for his prince, for himself, nor for his children, or give a cup of drink to the poor.

3.

[The manumission of villeins. (a) 13 April, 1493. *Register of Bishop Fox*, p. 54 (Latin).]

To all the faithful in Christ to whom the present writing shall come, Richard, by divine permission Bishop of Bath and Wells eternal greetings in the Lord. Know that we have manumitted Richard Hawkyns, alias Turret, our naif belonging to our manor of Banwell, and have liberated and freed him from the yoke of serfdom, with all his goods, chattels, and all his family born or to be born. So that from henceforth neither we nor our successors will be able to have or exact any right or claim from the abovesaid Richard Hawkyns alias Turret, or his family . . . In witness whereof we have caused our seal to be affixed to these presents.

[(b) 18 November, 1485. *Cal. Pat. Rolls, 1485-1494*, p. 41.]

Manumission of Roger Bonde, John Bonde, and Philip Bonde, bondmen (nativos) as of the king's manor of Calstok, with all their issue, because in the beginning nature created all men free and afterwards the law of nations put some under the yoke of servitude and the king believes it to be pious and meritorious towards God to make free those who are subject to him in villeinage.

4.

[An Acte agaynst pull yng doun of townes. St. 4 Hen. VII. c. 19 (1489). *Stat. Realm*, ii. 542.]

The Kyng our sovereign Lord, . . . remembreth that amonge all othre thinges great inconvenyences daily doth encrease by desolacion and pulling down and wilfull waste of houses and townes within this his realme, and leyng

to pasture londes whiche custumeably have ben used in tilthe, wherby ydilnes grounde and begynnyng of all myschefes daily doo encrease, for where in somme townes two hundred persones were occupied and lived by their lafull labours, nowe ben there occupied two or three herdemen and the residue fall in ydelnes, the husbondrie whiche is one of the grettest commodities of this realme is gretly decaied, churches destroyed, the service of God withdrawen, the bodies there buried not praied for, the patrone and curates wronged, the defence of this land ageyn oure ennemyes outwarde febled and impaired; to the great displeasure of God, to the subvercion of the polcey and gode rule of this lond, and remedy be not hastily therfor purveied: Wherfor the Kyng. . . enacteth. . . that no persone, what estate degre or condicion that he be, that hath eny house or houses, that any tyme within iij yeres past hath ben or that nowe is or heraftir shalbe leten to ferme with xx acres of lond atte lest or more lyeng in tillage or husbondrie, that the owner or owners of every suche house or houses and lond be bounde to kepe susteine and maynteyn houses and bildinges upon the seid ground and lond, convenient and necessarie for mayntenynge and upholding of the seid tillage and husbondrie; and if eny suche owner or owners of eny suche house or houses and lond take kepe and occupie any suche house or houses and lond in his or their owne handes, that the owner or owners by the seid auctorite be bounde in like wise to kepe and mayntene houses and bildings upon the seid ground and lond, convenient and necessarie for mayntenynge and upholding of the seid tillage and husbondrie; And if any man do contrarie. . . that than it shalbe lafull to the Kyng, if any suche londes or houses be holden of him ymediatly, or to the lordis of the fees if any suche londes

be holden of theym ymmediatly, to receyve yerly half the value of thissues and profites of any suche lond, wherof the house or houses ben not so maynteyned and susteyned, and the same halvendele of thissues and profites to have holde and kepe to his or their owne use, without anything therfor to be paied or yoven, to such tyme as the same house or houses be sufficiently bilded or repaired ayen, and that no maner of freehold be in the Kyng, ne in any suche lord or lordes, by the taking of eny such profites of or in any suche londe in no maner forme; but oonly the Kyng and the said lord or lordes have power to take receyve and have thissues and profites as is aboveseid, and therefore the Kyng, or the seid lord or lordes, to have power to distreyne for the same issues and profites to be had and perceyved by theym in fourme aboveseid by the auctorite of this present acte.

5.

[Sir Thomas More's criticism of the enclosure movement. More's *Utopia* (ed. Sampson), p. 39.]

Your shepe that were wont to be so meke and tame, and so smal eaters, now, as I heare saye, be become so great devowerers and so wylde, that they eate up, and swallow downe the very men them selves. They consume, destroye, and devoure whole fieldes, howses, and cities. For looke in what partes of the realme doth growe the fynest and therefore dearest woll, there noblemen and gentlemen: yea and certeyn Abbottes, holy men no doubt, not contenting them selves with the yearely revenues and profytes, that were wont to grow to theyr forefathers and predecessours of their landes, nor beyng content that they live in rest and pleasure nothings profite, yea much noyinge the

weale publique: leave no grounde for tillage, thei inclose al into pastures: thei throw doune houses: they plucke downe townes, and leave nothing standynge, but only the churche to be made a shepehowse. And as thoughe you loste no small quantity of grounde by forestes, chases, laundes, and parkes, those good holy men turne all dwelling places and all glebeland into desolation and wildernes. Therfore that one covetous and unsatiabie cormaraunte and very plage of his natyve contrey maye compasse aboute and inclose many thousand akers of grounde together within one pale or hedge, the husbandmen be thrust owte of their owne, or els either by coveyne and fraude, or by violent oppression they be put besydes it, or by wronges and injuries thei be so wried, that they be compelled to sell all: by one meanes therfore or by other, either by hooke or crooke they muste needes departe awaye, poore, selye, wretched soules, men, women, husbands, wives, fatherlesse children, widowes, wofull mothers, with their yonge babes, and their whole houshold smal in substance and muche in numbere, as husbandrye requireth manye handes. Awaye thei trudge, I say, out of their knowen and accustomed houses, fyndynge no place to reste in. All their housholde stuffe, whiche is verye litle woorth, though it myght well abide the sale: yet beeynge sodainely thruste oute, they be constrayned to sell it for a thing of nought. And when they have wandered abroad tyll that be spent, what can they then els doo but steale, and then justly pardy be hanged, or els go about beggyng. And yet then also they be caste in prison as vagaboundes, because they go aboute and worke not: whom no man wyl set a worke, though thei never so willyngly profre themselves therto.

E. FOREIGN TRADE AND COMMERCIAL TREATIES.

1.

[Encouragement of Shipping. St. 1 Hen. VII. c. 8 (1485). *Stat. Realm*, ii. 502. This Act was renewed in the Parliament of 1490.]

[Item in the said Parliament it was called to remembrance] of the grete mynishyng and decaye that hathe ben now of late tyme of [the] navie w^tin this reame of Englund, and ydelnesse of the mariners w^tin the same, by the whiche this noble reame w^tin short processe of tyme, w^toute reformation be had therin, shall not be of habilitie and power to defend it self. Wherefore . . . it is enacted . . . that no maner persone of what degre or condicion that he be of, bye nor sell w^tin this seid reame Irlond Wales Caleis or the marches therof or Berwyk, from the fest of Michelmasse next now comyng, eny maner wyne of the growyng of the duchie of Guyen or of Gascoigne, but such as shall be aventured and brought in an Englysshe, Irisshe or Walshmannys shippe or shippes, and the maryners of the same Englysshe Irissh or Walshemen for the more parte, or men of Caleis or of the Marches of the same; and that upon peyn of forfeiture of the same wyne so bought or sold contrarie to this act, the oon half of that forfeiture to be to [the Kynges grace] and that other half to the fynder of that forfeiture.

2.

[8 September, 1501. *Cal. Pat. Rolls*, 1494-1509, p. 269.]

Grant to Edmund Warwyk of York, 'merchaunt,' for the encouragement of shipping, of the customs dues for the

goods imported on the first voyage of a ship called *le Lyon of York*, of the portage of 70 tons, built by the said Edmund.

3.

[An Acte that all Straungers and denysons shall paye Custome. St. 11 Hen. VII. c. 14 (1495). *Stat. Realm*, ii. 579.]

Where the King oure Sovereign Lorde is greatly disceyved in his customes and subsidies by merchauntis straungers suche as the King oure Sovereign Lord hath graunted by his lettres patentes to be deynesyns and to pay non other coustomes ne subsidies for ther merchaundise inward and outward but as a deynsyne, undre colour wherof they custome not all only their owne merchaundise undre the fourm aforseid, but also they colorably enter into the custumers bokes the merchaundise of other straungers, calling and seieng the seid godes of other marchauntes to be the godes of theym so made deynesyns, to the greate losse and defraude to the King our Sovereign Lord: Wherfor be it enacted . . . that all marchauntes straungers and other that be made deynesyns by the Kinges lettres patentes or otherwise paye frohensfourth such customes and subsidies for their goodes and marchaundise inward and outward as they shuld have paid if suche lettres patentes and grauntes had never to theym be made.

4.

[The Magnus Intercursus, 24 February, 1496. Rymer, *Fœdrea*, V. iv. 82. For a modernised version of this Latin treaty, *vide* Polard, *Sources*, ii. p. 285.]

First, it is agreed, bargained, and concluded that from this day there shall be a good, sincere, true, complete, per-

fect, and firm friendship . . . between the said lords, the king and the archduke, their heirs and successors, . . . vassals and subjects, present and future . . . so that the aforesaid vassals and subjects . . . may be able to enter safely and freely as well by land and sea and fresh waters, into the kingdoms . . . of each, and stay in the same as long as they wish, buying and selling there victuals and other necessities without any prohibitions, being free to go away from the same kingdoms . . . as often as they please to their own countries or any other parts whatsoever. . . .

Also, it is agreed . . . that neither of the said princes, their heirs and successors will do or attempt in any place whatsoever anything to the injury, prejudice or hurt of the other prince, nor offer any help, counsel, favour or assent to anything which shall be done or attempted by others. . . .

Also it is agreed . . . that neither party . . . will give help counsel or favour to known enemies and opponents of the other party wishing to invade either by land or sea . . . but will help with military assistance (at the expense of the party needing assistance) . . .

Also it is agreed . . . that neither party will receive any rebels . . . or fugitives . . . of the other party in their kingdoms . . . and will not show or offer help, counsel, favour, hospitality, soldiers, ships, money, or victuals to them in the same place or in any places whatsoever. . . .

[A summary of the remaining clauses of the treaty.]

1. If one party notifies the other of rebels, the party is to take steps to exclude such rebels from his territory. Capital punishment to be executed on rebels who do not leave within fifteen days.

2. Neither party to harbour the rebels of the other.

3. Henry to include the Archduke in any treaty he may make.

4. Breaches of the treaty by subjects of either party to be punished but the treaty to remain in force.

5, 6. Merchants to have complete freedom of intercourse in English territory, and vice versa.

7. Merchants to be allowed to carry arms for their safety.

8. Merchants of one country shall not do injury to merchants of the other.

9. Fishermen of each party to be allowed to come and go freely provided they commit no fraud.

10. Pirates not to be supported by either party.

11. Goods which have been taken by pirates shall not be put up for sale in the territory of either party. If they are so sold, restitution is to be made and commissioners to be appointed to assess damages. Proclamations to be made against purchasing such goods taken by pirates.

12. Security to be taken from ships to the effect that they will not engage in piracy.

13. Succour, victuals &c shall be given to ships in distress at a fair price.

14. If a ship is seized by anyone not a subject of the parties to the treaty, and it is taken into the territory of either of them, restitution shall be sued by the party into whose territory the ship has been brought.

15. Neither party shall hinder Eastern traders provided they are not enemies of either party.

16. Ships of either party which are driven by stress of weather, enemies &c. into the ports of the other party, shall be received and allowed to depart freely provided that goods are not landed or put on other vessels without permission.

17. Ships belonging to the subjects of one of the parties shall be harboured in the ports of the other on the same terms as ships of the subjects of that prince, provided they have not committed piracy.

18. Subjects of either ruler are not to carry goods belonging to the enemies of the other party. If they do, and are questioned, they are to give full answers as to whom the goods belong.

19. If a ship of either party is wrecked, the goods washed on to the coast are not to be forfeit, but are to be put in a safe keeping. If the goods are claimed they are to be restored after payment of expenses.

20. Merchants of each party to be allowed to have houses for the storage of goods in the territory of the other on the same terms as have been customary during the last fifty years.

21. Inspectors employed to examine goods shall do their work without damaging goods.

22. Justice to be done to English merchants who complain of debt &c. by judges appointed for the purpose. Justice to be done to merchants in England by the Court of Chancery, the Court of the Constable, and the Great Council.

23. If the subjects of either party are injured, they should not proceed by reprisals, but an attempt should be made by the rulers to put matters right.

24. Letters of reprisals are to be held in suspense until the matter has been considered by men deputed to this task by the rulers.

25. English merchants to be allowed to export bullion from the territory of the archduke.

26. Fraud committed by the use of unjust weights to be remedied by the rulers of each party.

27. A committee of merchants drawn from both parties to be set up from the 2 May next following to settle disputes concerning the Staple at Calais.

28. Securities for the carrying out of the treaty on the side of the English king are mentioned by name.

5.

[The *Intercursus Malus*, 30 April, 1506. Summary of the treaty taken from Pollard, *Sources*, ii. p. 322.]

1. Previous treaties, except as modified by the present, to be observed.

2. Claims arising out of previous dues, tolls, etc. to be void.

3. Trade between England and the Low Countries to be free, but English merchants are not to cut, dye, or full their cloth in the Low Countries.

4. English merchants are not to pay certain harbour and port dues, but are to be allowed to anchor and remain at anchor in Philip's harbours and to transship their goods without any charge unless they sell or land them.

5. Philip's subjects, however, are to pay the customary English duties as defined by the treaty of 1496.

6. Philip and his heirs are not to exclude English cloth from their dominions nor prohibit their use nor impose any duties upon their sale. Any such impositions are to be void by the present treaty.

7. A year's notice of any change to be officially given to the Governor of the English merchants.

8. Entire freedom of import and transport of English cloths in the Netherlands to be given to all merchants, English or foreign.

9. Neither English nor Flemish ships to be embargoed for any particular or private offence, save only the ships of the offender.

10. English merchants to be allowed to buy freely in the Netherlands.

11. Merchants from the Netherlands to have similar rights subject to the liberties and privileges of the English merchants.

12. English merchants to be allowed to import bullion from the Netherlands.

13. Customs officials not to damage the goods they examine under pain of a month's imprisonment.

14. Specification of twenty-nine qualities of wool to be imported into Flanders.

15. Flemish merchants to be allowed to inspect and sample wools before buying.

16. Table of lawful duties to be publicly exhibited at London, Bruges, Antwerp, etc. and officials exacting more to be punished by fine and imprisonment. This clause to be inscribed on the tables of duties, to provide against pleas of ignorance.

17. The treaty not to apply to Castile, Leon, or Granada but only to the Netherlands.

18. To be confirmed by either party within three months.

F. COLONISATION.

1.

[The discovery of Newfoundland, May-August, 1497. Kingsford, *Chronicles of London*, p. 224.]

This yere the kyng at the besy request and Supplicacion of a Straunger Venisian, which by a Caart made hym self

expert in knowyng of the world, caused the kyng to manne a ship w^t vytaill and other necessities for to seche an Iland, wheryn the said Straunger Surmysed to be grete comodities ; w^t which Ship by the kynges grace so Rygged went iij or iiij moo owte of Bristowe, the said Straunger beyng conditor of the said fflete, wheryn dyuers merchauntes, aswell of London as of Bristowe, aventured goodes and sleight merchandises ; which departed from the West Cuntrey in the begynnyng of Somer, but to this present moneth came nevir knowlege of their exployt.

2.

[Encouragement of colonisation, 9 December, 1502. *Cal. Pat. Rolls*, 1494-1509, p. 320.]

Licence for Hugh Elyot and Thomas Asshehurste, merchants of Bristol, John Gunsalus and Francis Farnandus, esquires, natives of the islands of Surrys under the obedience of the king of Portugal, their heirs, attornies, agents or deputies, to sail under the king's banners and ensigns with as many ships and boats as they please, of any tonnage, and with masters, countermasters, mariners, pages, . . . and other men for the governance, safe keeping and defence of the said ships, at their own costs and charges, and for such salaries, wages and stipends as may be agreed amongst themselves, for the discovery of islands, countries or provinces of whatsoever races and infidels in all parts of the world, on which when found they shall fix the said banners and ensigns and take possession thereof in the king's name, reserving the lordship thereof to the king ; but they shall not intermeddle with lands already discovered by the subjects of the king of Portugal or others the king's friends.

All men and women of the realm shall be at liberty to visit and dwell in the newly discovered lands under the protection and rule of the above grantees, and to obtain the riches, fruits and profits thereof; and the king empowers the said grantees accordingly to make ordinances statutes and proclamations accordingly for the government and rule of all persons going thither, whether in the company of the said grantees, or following afterwards; and for the punishment of persons committing theft, homicide, rapine, and rape of the women of the newly discovered lands against their will.

For forty years after discovery none shall presume to frequent with ships or enter or intermeddle in the said islands and lands without the licence of the king and the said grantees; on pain of the forfeiture of their merchandise and ships, a moiety to the king and a moiety to them.

The grantees may bring away gold and silver in mass, precious stones and other goods to any port and sell the same, notwithstanding any statute to the contrary.

In consideration of their great charges, they shall for five years export goods in one ship every voyage and expose them for sale free of customs, provided that they pay all the customs due on the goods in the other ships. . . .

This without fine or fee in the transfer and with warrant to William Bishop of London, Keeper of the great seal, to issue writs to the Keeper of the transfer for exoneration of the such fees when requisite.

BOOK V. IRELAND.

1.

[The legislation of the parliament of Drogheda, 1494. *Statutes at Large, Ireland*, 1765, i. (a) p. 41. An Acte authorising the Treasurer to make all officers as the Treasurer of England doth.]

[Be it enacted] . . . That the treasurer of the said land of Ireland, from henceforth have as ample and large power in all things concerning or belonging to his said office, as the treasurer of England hath in his office, as for to make all customers, controllers, farmors and other officers accomptants for the most appovement and encreasement of the Kings revenue of this land. And over that it be ordained . . . That all manner act or acts, made afore this time, by the authority of any Parliament, holden within the said land, concerning the election or making of sheriffs and escheators, of the shires of the said land, and all other officers accomptants, and farmours accomptants, contrary to this present act be revoked, adnulled, and deemed void and of none effect in the law. And that it be ordained . . . that the treasurer of Ireland from this time forward, every year, shall make a declaration of his accompt of the revenues of the same land before the barons of the Kings eschequer in Ireland, and before such of the Kings counsail there, as shall be appointed or named by

the Kings lieutenant or deputy for the time being, and the same declaration to be certified into the Kings exchequer in England, and there before the barons of the Kings exchequer in England, the said account to be finished and determined.

[(b) p. 42. An Act that the chancellour and treasurer, judges of the Kings bench and common place, the chief and second baron of the exchequer, the clerk or master of the rolls, and all officers accomptants to have their offices but onely at the Kings will and pleasure.]

Item, prayen the Commons, that in consideration of the great and manifold inconveniences that late were attempted there contrary to all natural allegiance, to the Kings grievous displeasure, by the procurement, counsail, and exhortation of such officers as late had administration of justice under the King in that land, and such as were officers accomptants, and had their offices granted unto them by patent for term of life, by reason whereof they were the more bolder to misuse their such authority, . . . be it . . . enacted . . . That from this time forward, no maner person or persons that shall have ministration of justice, that is to say, the chancellour, the treasurer, judges of the Kings bench and common place, the chief and secondary baron of the exchequer, the clerk or master of the rolls, and all maner officers accomptants have any authority by patent in their such offices, but onely at the Kings will and pleasure: and if any grant afore this time or hereafter be made of any of the said offices, unto any person or persons there, contrary to the premises, the same to be deemed void and of none effect in the law, and by the same authority all and every maner act or acts before this time made to the contrary hereof to be revoked and deemed void and of none effect in the law.

[(c) *Statutes at Large, Ireland, 1765, i., c. 4, p. 44.* An Act that no Parliament be holden in this land, until the Acts be certified into England.]

Be it . . . enacted . . . That at the next Parliament that there shall be holden by the Kings commandment and licence, wherein amongst other, the Kings grace entendeth to have a general resumption of his whole revenues sith the last day of the reign of King Edward the second, no Parliament be holden hereafter in the said land, but at such season as the Kings lieutenant and counsaile there first do certifie the King, under the great seal of that land, the causes and considerations, and all such acts as them seemeth should pass in the same Parliament, and such causes, considerations, and acts affirmed by the King and his counsaile to be good and expedient for that land, and his licence thereupon, as well in affirmation of the said causes and acts, as to summon the said Parliament under his great seal of England had and obtained; that done, a Parliament to be had and holden after the form and effect afore rehearsed: and if any Parliament be holden in that land hereafter, contrary to the form and provision aforesaid, it be deemed void and of none effect in law.

[(d) *Ibid.*, c. 5, p. 45. An Act against provisors to Rome.]

Prayen the commons . . . that where afore this time there hath been, and yet be within the said land of Ireland, many debates and strifes betwixt the prelates and other of the church of Ireland, by reason of diverse provisors suing by false and untrue suggestions made unto the court of Rome, for to deprive and put out of possession the said prelates and other beneficers from their livelyhood and benefices . . . [be it enacted] . . . That all maner of estatutes, as well made within the realm of England, as

within the said land of Ireland, against provisors, by the authority of this present Parliament, be authorised, approved, and confirmed, and be deemed good and effectual in the law; and also . . . that all and every of the statutes, made against provisors, be from henceforth duely and straightly executed in all points within the said land, according to the effect of the same. And the Kings justices, and commissioners of the said land diligently enquire at their sessions, and all other times requisite and behoveful, of all and every maner of person or persons that hereafter offend the said statutes, or any of them, and every of the said persons so founden defective or trespassing in any of the said statutes, from henceforth be duely corrected and punished, in example of all other in time to come, according to the tenure and purport of the said estatute.

[*Ibid.*, c. 6, p. 45. An Act that no citizen receive livery or wages of any lord or gentleman.]

[Be it enacted] . . . that whatsoever citizen, burgesse, or freeman enhabite within any of the said cities or townes, doe receive livery or wages, or make other promise or surety by indenture, or otherwise, with any lord or gentleman within the said land, that then he or they that shall so offend the premisses, and as often, to be deprived of his or their freedome and libertie; and over that to be expulsed out of the said citie for ever.

[*Ibid.*, c. 12, p. 50. An Act that no great ordinances be in no fortress, but by licence of the deputy.]

[Be it enacted] . . . That no maner person ne persons from this time forward, doe retain or keep in his house, garrison, or place, any maner ordnance or artillery, that is to say, great gunne or handgunne, except only long bow,

arrowes, and bills, upon paine of forfeiture of the said ordnance. And if any person or persons have any gunnes or ordnances, a bow except, and doe not deliver them to the Kings lieutenant or deputie within a moneth after proclamation hereupon made, or at any time hereafter keep any such ordnances, without the lieutenant or his deputies licence thereof had, that then he or they that shall offend in the premisses, and as often, doe forfeit to our said soveraigne lord xx. li. to be levied on their land, goods and cattels, like maner and form.

[*Statutes at Large, Ireland, 1765, i., c. 13, p. 51. An Act that no person stir any Irishry to make war.*]

[Be it enacted] . . . That whatsoever person or persons fro this day forward, cause, assemble, or insurrection, conspiracies, or in any wise procure or stirre Irishery or Englishry to make warre against our soverain lord the Kings authority, that is to say, his lieutenant, or deputy, or justice, or else if any manner person procure or stir the Irishry to make warre upon the Englishry be deemed traytor attainted of high treason, in likewise as such assemble and insurrection had bene levied against the Kings own person.

[*Ibid.*, c. 22, p. 56. An Act confirming all the statutes made in England.]

Item, prayen the commons, that forasmuch as there been many and diverse good and profitable statutes late made within the realme of England by great labour, studie and policie, as well in the time of our sovereign lord the King, as in the time of his full noble and royal progenitors late Kings of England, by the advise of his and their discreet counsail, whereby the said realm is ordered and brought to great wealth and prosperity, and by all likely-

hood so would this land if the said estatutes were used and executed in the same: Wherefore it is ordeyned and established . . . That all estatutes late made within the said realm of England, concerning or belonging to the common and publique weal of the same from henceforth be deemed good and effectual in the law, and over that, be accepted, used and executed within this land of Ireland in all points, at all times requisite, according to the tenor and effect of the same. And over that by authority aforesaid, that they and every of them be authorized, proved and confirmed in this said land of Ireland. And if any estatute or estatutes have been made within this said land, hereafter to the contrary, they and every of them by authority aforesaid be adnulled, revoked, voyd, and of none effect in the law.

2.

[The condition of Ireland, 1515. State of Ireland and Plan for its Reformation, *State Papers*, ii. p. 1.]

Who lyste make surmyse to the King for the reformation of his Lande of Irelande, yt is necessarye to shewe hym thestate of all the noble folke of the same, aswell of the Kinges subjectes and Englyshe rebelles, as of Iryshe enymyes. And fyrst of all, to make His Grace understande that ther byn more then 60 cuntryes, called Regyons, in Ireland, inhabytyd with the Kinges Irishe enymyes; some region as bygge as a shyre, some more, some lesse, unto a lytyll; some as bygge as halffe a shyre, and some a lytyll lesse; where reygneith more then 60 Chyef Capytaynes, wherof some callyth themselffes Kynges, some Kynges Peyres, in the langage, some Prynceis, some Dukes, some Archedukes, that lyveyth onely by the swerde, and obeyeth

to no other temperall person, but onely to himself that is stronge: and every of the said Capytaynes makeyth warre and peace for hymself, and holdeith by swerde, and hathe imperiall juryisdiction within his rome, and obeyeth to noo other person, Englyshe ne Iryshe, ex̄cept only to suche persones, as maye subdue hym by the swerde: of whiche regions, and capytaines of the same, the names folowyth immediate.

3.

[Letter from Surrey to Henry VIII., 30 June, 1521. *State Papers*, ii. p. 73.]

After my poure opinion, this londe shall never be brought to goode order and dew subjeccion, but only by conquest; wich is, at Your Graces plesure, to be brought to pas twoo maner off ways. One way is, iff Your Grace woll one yere sett on hande to wyn one contree, and a nother yere, another contree, and so contynew, tyll all at length be won. After myn opinion, the lest nomber, that Your Grace must occupie, can be no les then 2500; for it is not to be dowted, that whensoever the Irishmen shall know that Your Grace entendith a conqwest, they woll all combyne to gyders, and withstonde the same to the best off their poure. And over and above their owne poure, undowtedly they may have three or foure thousand Irish Skottes, when soever, and as oftyen as they woll call for them; and they be not distaunt from the north parties off this londe, 4 owrys saylyng. Also I thynk thErle off Arguyle, and dyvers others off those we call Englishe Skottes, woll come, iff they be desired.

And iff Your Grace woll, in more brieff tyme, have your purpose brought to pas, and to set upon the conqwest in

dyvers places, at one tyme; then, after my poure opinion, 6000 men is the lest nomber that Your Grace must occupie. But to advertise Your Grace, in how many yeres eyther the one nomber, or the other, shuld accomlishe and perffight the conqwest, the matier is so high and uncerteyne, that I dare not medle therewith. . . .

And how few English enhabitantes be now within thes 4 sheres, Master Peche can enforme Your Grace, for he hath sene a goode part theroff. And iff Your Grace shuld enhabite such contrees, as shuld be won, with Spanyardes, Flemynges, Almaynes, or any other nacion, save only your owne naturall subjectes, I feare, at length, they woll rather be obedient to the prince off their natyff countre, then to any other. The premysses consydered, after my poure opinion, the difficultie to conqwer this londe restith in thes three articles ensewing.

Furst, to furnyshe the army, that Your Grace will have here, with mony, unto the conqwest be perffighted.

Secondly, how to furnysh the seid nomber with vitelles, and cariage for the seid vitelles, ordinance, artilere, and all other stuff that must be occupied in byldyng off strong forteresses.

Thyrdly, how to fynd enhabitantes in sufficient nomber, that woll contynew trew subjectes to Your Grace, and your noble succession.

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